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II

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COUNCIL

COUNCIL DECISION

of 4 June 1974

on the conclusion of the Agreement between the European Economic Community and the Republic of the Niger on the supply of maize and sorghum as food aid

(74/354/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113, 114 and 228 thereof;

Having regard to the recommendation from the Commission;

Whereas the European Economic Community has deposited a Declaration of provisional application of the 1971 Food Aid Convention; whereas that Convention has been applicable since 1 July 1971;

Whereas by its letter of 9 October 1973, the Republic of the Niger has requested food aid;

Whereas in view of the grain supply situation in Niger that country should be accorded, by way of gift, 20 000 metric tons of cereals, in the form of 15 000 metric tons of maize and 5 000 metric tons of sorghum under the Community Food Aid Programme (Cereals) for 1973/74,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and the Republic of the Niger on the supply of maize and sorghum as food aid, the text whereof is annexed hereto, is hereby concluded on behalf of the Community.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to confer on them the necessary powers to bind the Community.

Done at Luxembourg, 4 June 1974.

For the Council

The President

J. ERTL

AGREEMENT

between the European Economic Community and the Republic of the Niger on the supply of maize and sorghum as food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
of the one part,

THE GOVERNMENT OF THE REPUBLIC OF NIGER,
of the other part,

HAVE DECIDED to conclude this Agreement and to this end have designated as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE REPUBLIC OF THE NIGER:

WHO HAVE AGREED AS FOLLOWS:

Article I

As part of its Food Aid Programme (Cereals) for 1973/74, the European Economic Community, hereinafter called the 'Community', shall supply 20 000 metric tons of cereals in the form of 15 000 metric tons of maize and 5 000 metric tons of sorghum as a gift to the Republic of the Niger, hereinafter referred to as the 'country of destination'.

Article II

Deliveries shall be made in new jute bags with a net weight of 50 kg each, free to a place of destination to be determined by agreement between the country of destination and the Community.

Article III

The obligations and responsibilities of the Community and of the country of destination relating in particular to delivery and the taking of delivery are defined in the Annex, which forms an integral part of this Agreement.

Article IV

The country of destination undertakes to make all necessary arrangements for the transport and insurance of the goods as from the place of destination.

Article V

The country of destination undertakes to use for purposes of consumption the goods received as aid.

It shall distribute the quantities received as aid free of charge except for 5 000 metric tons of maize which may be sold on the market of the country of destination at prices normally obtained on that market for goods of comparable quality.

The proceeds from this sale, less the normal cost of selling the product on the market of the country of destination, excluding internal transport costs, will be paid into a special account in the Central Bank of the said country or a State-controlled bank and allocated to the financing of one or more development projects which have been proposed by the country of destination and approved by the Community.

Article VI

The Contracting Parties undertake to implement this Agreement in such a way as to avoid any prejudice to the normal structure of domestic production and international trade. To this end they shall take any measures required to ensure that aid supplies are in addition to, and do not replace commercial transactions which might reasonably be expected in the absence of such supplies.

Article VII

The country of destination shall take all appropriate measures to prevent:

- the re-export of the product received as aid and of products and by-products resulting from such supplies;
- the export, commercially or otherwise, within six months of the last delivery, either of the product obtained locally and of the same nature as the product received as aid or of any products and by-products resulting from it.

Article VIII

The country of destination undertakes to inform the Community how this Agreement is being implemented. To this end it shall provide the Commission of the European Communities with the following information:

1. every three months until the quantities received as aid have been fully used:

(a) the quantities distributed, the number and type of recipients and the places, rate and the methods of distribution;

(b) quantities sold, how they have been sold, selling prices; normal selling costs on the recipient country's market;

2. on 15 January every year until the special account has been fully used:

(a) state of this account (deposits and withdrawals) on 31 December of the preceding year;

(b) progress achieved in the project or projects, with an indication of the total amount of financing carried out at that stage.

Article IX

The country of destination shall take all measures necessary to enable persons duly authorized by the Community to follow the progress of operations carried out in pursuance of this Agreement on the spot.

Article X

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

Article XI

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

ANNEX

Provisions laid down in Article III of the Agreement

Article 1

Delivery shall be effected and all risk shall pass from the Community to the country of destination at the moment at which the goods actually arrive at the place of destination.

The country of destination shall pay all costs for taking delivery of the goods, any transshipment costs and all costs subsequent to delivery.

Any costs resulting from delays in taking delivery which

are attributable to the country of destination shall be borne by the latter.

Article 2

The Community shall notify the country of destination as soon as possible of the means of transport to be used to carry the goods to the place of destination, the means of shipment to be used during the intermediary phases, the date of loading and the quantity and quality of the goods as recorded on shipment from the Community.

Article 3

The Community shall inform the country of destination of the expected date of arrival of the goods at the place of destination in good time before that date. It shall confirm that date at least two days in advance.

Article 4

On delivery, a tolerance of 5% less than the quantity laid down under Article I of the Agreement is permitted.

Article 5

To implement this Annex, the Community shall appoint an authorized agent, whose name and address it shall

make known in good time to the country of destination.

The country of destination shall appoint a receiving agent at each place of delivery, whose name and address it shall make known to the Community before the Agreement is implemented.

Article 6

On delivery of the goods the country of destination shall hand to the authorized agent of the Community a taking-over certificate, stating the place and date of taking over, the nature and the quantity as well as any observations about the quality of the goods. It shall send a copy thereof to the Commission of the European Community.

Information concerning the signing of the Agreement between the European Economic Community and the Republic of the Niger on the supply of food aid

The Agreement between the European Economic Community and the Niger on the supply of maize and sorghum as food aid, which the Council decided to conclude on 4 June 1974, was signed in Brussels on 5 June 1974 on behalf of the Council of the European Communities by:

Mr Ulrich Lebsanft, Ambassador Extraordinary and Plenipotentiary, Chairman of the Permanent Representatives Committee, and

Mr Hans-Broder Krohn, Director-General for Development and Cooperation, Commission of the European Communities, and on behalf of the Government of the Niger by:

Mr Jean Poisson, Ambassador, Representative of the Niger to the European Communities.

COUNCIL DECISION

of 4 June 1974

on the conclusion of the Agreement between the European Economic Community and the Republic of Senegal on the supply of maize as food aid

(74/355/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113, 114 and 228 thereof;

Having regard to the recommendation from the Commission;

Whereas the European Economic Community has deposited a Declaration of provisional application of the 1971 Food Aid Convention; whereas that Convention has been applicable since 1 July 1971;

Whereas by its letter of 9 November 1973, the Republic of Senegal has requested food aid;

Whereas in view of the grain supply situation in Senegal that country should be accorded, by way of gift, 15 000 metric tons of maize under the Community Food Aid Programme (Cereals) for 1973/74,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and the Republic of Senegal on the supply of maize as food aid, the text thereof is annexed hereto, is hereby concluded on behalf of the Community.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to confer on them the necessary powers to bind the Community.

Done at Luxembourg, 4 June 1974.

*For the Council**The President*

J. ERTL

AGREEMENT

between the European Economic Community and the Republic of Senegal on the supply of maize as food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
of the one part,

THE GOVERNMENT OF THE REPUBLIC OF SENEGAL,
of the other part,

HAVE DECIDED to conclude this Agreement and to this end have designated as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE REPUBLIC OF SENEGAL:

WHO HAVE AGREED AS FOLLOWS:

Article I

As part of its Food Aid Programme (Cereals) for 1973/74, the European Economic Community, hereinafter called the 'Community', shall supply 15 000 metric tons of maize as a gift to the Republic of Senegal, hereinafter referred to as the 'country of destination'.

Article II

Deliveries shall be made in new jute bags with a net weight of 50 kg each, free to a place of destination to be determined by agreement between the country of destination and the Community.

Article III

The obligations and responsibilities of the Community and of the country of destination relating in particular to delivery and the taking of delivery are defined in the Annex, which forms an integral part of this Agreement.

Article IV

The country of destination undertakes to make all necessary arrangements for the transport and insurance of the goods as from the place of destination.

Article V

The country of destination undertakes to use the product received as aid for purposes of consumption and to distribute this product free of charge to people in need.

Article VI

The Contracting Parties undertake to implement this Agreement in such a way as to avoid any prejudice to the normal structure of domestic production and international trade. To this end they shall take any measures required to ensure that aid supplies are in addition to, and do not replace commercial transactions which might reasonably be expected in the absence of such supplies.

Article VII

The country of destination shall take all appropriate measures to prevent:

- the re-export of the product received as aid and of products and by-products resulting from such supplies;
- the export, commercially or otherwise, within six months of the last delivery, either of the product

obtained locally and of the same nature as the product received as aid or of any products and by-products resulting from it.

Article VIII

The country of destination undertakes to inform the Community how this Agreement is being implemented. To this end it shall provide the Commission of the European Communities, every three months until the quantities received as aid have been fully used, reports indicating in particular the quantities distributed, the number and type of recipients and the places, rate and method of distribution.

Article IX

The country of destination shall take all measures necessary to enable persons duly authorized by the

Community to follow the progress of operations carried out in pursuance of this Agreement on the spot.

Article X

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

Article XI

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

ANNEX

Provisions laid down in Article III of the Agreement

Article 1

Delivery shall be effected and all risk shall pass from the Community to the country of destination at the moment at which the goods actually arrive at the place of destination.

The country of destination shall pay all costs for taking delivery of the goods, any transshipment costs and all costs subsequent to delivery.

Any costs resulting from delays in taking delivery which are attributable to the country of destination shall be borne by the latter.

Article 2

The Community shall notify the country of destination as soon as possible of the means of transport to be used to carry the goods to the place of destination, the means of shipment to be used during the intermediary phases, the date of loading and the quantity and quality of the goods as recorded on shipment from the Community.

Article 3

The Community shall inform the country of destination of the expected date of arrival of the goods at the place of destination in good time before that date. It shall confirm that date at least two days in advance.

Article 4

On delivery, a tolerance of 5 % less than the quantity laid down under Article I of the Agreement is permitted.

Article 5

To implement this Annex, the Community shall appoint an authorized agent, whose name and address it shall make known in good time to the country of destination.

The country of destination shall appoint a receiving agent at each place of delivery, whose name and address it shall make known to the Community before the Agreement is implemented.

Article 6

On delivery of the goods the country of destination shall hand to the authorized agent of the European Economic Community a taking-over certificate, stating the place and date of taking over, the nature and the quantity as well as any observations about the quality of the goods. It shall send a copy thereof to the Commission of the European Communities.

Information concerning the signing of the Agreement between the European Economic Community and the Republic of Senegal on the supply of food aid

The Agreement between the European Economic Community and Senegal on the supply of maize as food aid, which the Council decided to conclude on 4 June 1974, was signed in Brussels on 5 June 1974 on behalf of the Council of the European Communities by:

Mr Ulrich Lebsanft, Ambassador Extraordinary and Plenipotentiary, Chairman of the Permanent Representatives Committee, and

Mr Hans-Broder Krohn, Director-General for Development and Cooperation, Commission of the European Communities, and on behalf of the Government of Senegal by:

Mr Seydina Oumar Sy, Ambassador, Representative of Senegal to the European Communities.

COUNCIL DECISION

of 4 June 1974

concluding the Agreement between the European Economic Community and the Republic of Tunisia on the supply of common wheat as food aid

(74/356/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113, 114 and 228 thereof;

Having regard to the recommendation from the Commission;

Whereas the European Economic Community has deposited a Declaration of provisional application of the 1971 Food Aid Convention; whereas that Convention has been applicable since 1 July 1971;

Whereas by its letter of 10 November 1972, the Republic of Tunisia has requested food aid;

Whereas in view of the cereal supply situation in Tunisia, that country should be accorded, by way of gift, 10 000 metric tons of common wheat under the Community Food Aid Programme for 1972/73,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and the Republic of Tunisia on the supply of common wheat as food aid, the text of which is annexed to this Decision, is hereby concluded on behalf of the Community.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to confer on them the necessary powers to bind the Community.

Done at Luxembourg, 4 June 1974.

*For the Council**The President*

J. ERTL

AGREEMENT

between the European Economic Community and the Republic of Tunisia on the supply of common wheat as food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

of the one part,

THE GOVERNMENT OF THE REPUBLIC OF TUNISIA,

of the other part,

HAVE DECIDED to conclude this Agreement and to this end have designated as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE REPUBLIC OF TUNISIA:

WHO HAVE AGREED AS FOLLOWS:

Article I

As part of its Food Aid Programme (Cereals) for 1972/73, the European Economic Community, hereinafter referred to as the 'Community', shall supply the Republic of Tunisia, hereinafter referred to as the 'recipient country', by way of a gift, with 10 000 metric tons of common wheat.

Article II

Deliveries will be made in bulk fob to Community ports.

Article III

The obligations and responsibilities of the Community and of the recipient country relating in particular to delivery and the taking of delivery respectively are defined in the Annex, which forms an integral part of this Agreement.

Article IV

The recipient country undertakes to make all necessary arrangements for the transport and insurance of the product from ports of shipment to places of destination.

It undertakes to exercise the greatest possible care to ensure that the tendering arrangements for the transport by sea shall not be prejudicial to the free play of fair competition. Any problems arising in this connection shall be the subject of consultations under Article IX.

Article V

The recipient country undertakes to use the product received as aid for purposes of consumption and to apply, for the sale of the product on its market, the prices normally charged on that market for products of comparable quality.

The proceeds from this sale, less the costs of sea transport, of insurance and the normal cost of selling the product on the recipient country's market, shall be paid into a special account at the Central Bank of that country and allocated to the financing of one or more development schemes proposed by the recipient country and approved by the Community.

Article VI

The Contracting Parties undertake to implement this Agreement in such a way as to avoid any prejudice

to the normal structure of domestic production and international trade. To this end they shall take any measures required to ensure that aid supplies are in addition to, and do not replace, commercial transactions which might reasonably be expected in the absence of such supplies. In particular, the recipient country undertakes to import commercially from whatever source between 1 July 1973 and 30 June 1974 a minimum quantity of 85 000 metric tons of common wheat or its equivalent in flour of common wheat.

Article VII

The recipient country shall take all appropriate measures to prevent:

- the re-export of the product received as aid and of products and by-products resulting from such supplies;
- the export, commercially or otherwise, within six months of the last delivery, either of local produce of the same nature as that received as aid or of any products and by-products resulting from it.

Article VIII

The recipient country undertakes to inform the Community of the mode of implementation of this Agreement. To this end it shall provide the Commission of the European Communities with the following information:

1. not later than 30 days after the unloading of each cargo: port and date of arrival of the vessel; nature, quantity and quality of the products unloaded; date on which unloading was completed;
2. every three months until the quantities received as aid have been fully used: quantities sold, how they have been sold, selling prices; normal selling costs on the recipient country's market;
3. on 15 January every year until the special account has been fully used:
 - (a) state of this account (deposits and withdrawals) on 31 December of the preceding year;
 - (b) progress achieved in the project or projects, with an indication of the total amount of financing carried out at that stage.

Article IX

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

Article X

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each of these texts being authentic.

ANNEX

Provisions laid down in Article III of the Agreement

Article 1

Delivery shall be effected and all risk shall pass from the Community to the recipient country at the moment at which the goods have been placed in the ship's hold at the port of shipment.

The recipient country shall bear all costs subsequent to delivery of the goods, including costs of stowage and, where appropriate, of trimming and bagging.

Any demurrage or dispatch money at the port of shipment shall be a charge on or for the benefit of the Community and shall be determined before the vessel

sails. The rates and detailed arrangements relating thereto laid down in the contract between the country of destination and the carrier must have been agreed upon in advance by the agent of the recipient country and the authorized agent of the Community referred to in Article 9.

Article 2

The Community shall notify the recipient country in good time of the port or ports of shipment, the quantities to be delivered at each port, the period within which loading must begin, and the daily loading rate.

Article 3

The Community must be prepared to load the goods on the date resulting from the instructions in Article 8, whereon the vessel should be ready for loading.

Article 4

On delivery of the goods, a tolerance of 5% less than the quantity to be supplied in accordance with Article I of the Agreement is permitted.

Article 5

Once the goods are on board the vessel, the Community shall notify the recipient country of the date of loading, together with the quantity and quality of the goods as recorded on loading.

Article 6

The recipient country shall supply the Community, within the period referred to in Article 2, with a vessel of dimensions corresponding to the normal loading potential of the port of shipment.

Should it prove impossible for the vessel to begin loading within the period referred to in Article 2 and should the recipient country not have notified the Community of this fact in writing at the latest by the date on which the vessel should be ready for loading in accordance with Article 8, the goods shall be at the disposal of the Community.

Whatever the circumstances, the goods shall be held at the expense, risk and peril of the recipient country.

Article 7

Should the recipient country fail to provide a vessel of suitable tonnage or if the quantity made available for loading on a vessel of suitable tonnage cannot be put on board in its entirety because of circumstances beyond the control of the Community, the balance shall be

loaded onto the next vessel under the conditions laid down in this Annex.

In this event, until the date of loading of the balance or until the recipient country gives notice in writing that it gives up the balance, the goods shall be held at the expense, risk and peril of the recipient country.

The recipient country must notify the Community within a maximum period of 30 clear days from the beginning of loading of the shipment to which the goods should have belonged, of the date on which loading of the balance is due to begin or of its renunciation of the balance.

If this obligation is not respected, the Community may consider that it has discharged its commitment to the recipient country under Article I of the Agreement.

Article 8

The recipient country shall name for the Community the vessel that is to ship the goods at least 10 clear days prior to the estimated date of arrival of the vessel in port or where possible 20 clear days prior to this date; it shall at the same time indicate how soon after that date the vessel will be ready for loading.

The recipient country shall insert in the charter party a clause requiring the captain to inform the Community at least 72 hours in advance of the vessel's estimated date of arrival in port.

Article 9

To implement the provisions of this Annex, the Community shall appoint an authorized agent, whose name and address it shall make known in good time to the recipient country.

The recipient country shall nominate a receiving agent in each port of shipment, whose name and address it shall make known to the Community before the Agreement is implemented.

Information on the signing of the Agreement between the European Economic Community and the Republic of Tunisia on the supply of food aid

The Agreement between the European Economic Community and Tunisia on the supply of common wheat as food aid, which the Council decided to conclude on 4 June 1974, was signed in Brussels on 5 June 1974 on behalf of the Council of the European Communities by:

Mr Ulrich Lebsanft, Ambassador Extraordinary and Plenipotentiary, Chairman of the Permanent Representatives Committee, and

Mr Hans-Broder Krohn, Director-General for Development and Cooperation, Commission of the European Communities, and on behalf of the Government of Tunisia by:

Mr Ismaël Khelil, Ambassador Extraordinary and Plenipotentiary, Head of the Tunisian Representation to the European Communities.

COMMISSION

COMMISSION DECISION

of 11 June 1974

on the application by Ireland to take protective measures in respect of sisal baler twine (CCT heading No 59.04) under Article 135 of the Act concerning the conditions of accession and the adjustments to the Treaties

(Only the English text is authentic)

(74/357/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Act concerning the conditions of accession and the adjustments to the Treaties, and in particular Article 135;

Having regard to the application of 28 May 1974 by Ireland;

Whereas sisal baler twine is indispensable in Ireland for the harvesting of hay and straw;

Whereas the manufacture of sisal baler twine in Ireland is concentrated in one factory; whereas the production of this factory is traditionally sufficient to meet home market requirements only;

Whereas it has been established that for some months, there have been massive exports of sisal twine from Ireland, and that if this situation is not changed, Irish production will not be sufficient to cover domestic demand, independently from price-level;

Whereas for reasons of time and by virtue of the world supply situation in this sector, it would be extremely difficult and costly to meet this demand by means of imports, from whatever origin, given that there is no traditional import trade in sisal twine in Ireland;

Whereas in Ireland, and particularly in the southern and western parts, farming is still in the process of modernization; whereas, as a result, the great majority of baling machines used by the farmers of these regions are unable to utilize synthetic twine, particularly in polypropylene; whereas moreover

polypropylene twine which binds fodder together can present a serious danger to the health of livestock;

Whereas if suitable measures are not taken to check large-scale deliveries of sisal baler twine outside Ireland, more than a quarter of the hay-harvest will be severely damaged; whereas this would bring about serious difficulties which would be liable to persist in that sector of Irish agriculture dependant upon the hay harvest; whereas this harvest has already begun; whereas in the longer term these difficulties would have repercussions in the area of animal fodder; whereas there would result from this a serious and substantial increase in production costs which could not be borne by Irish farmers;

Whereas furthermore those regions where this type of agricultural activity is carried on are those in the south and west of Ireland, where small farms worked as family concerns predominate; whereas, in the absence of substantial alternative sources of income, the abovementioned difficulties could bring about serious deterioration of the economic situation of these regions;

Whereas such a situation would result in a slowing down in the execution of the Irish policy of industrialization and economic development, whose objectives have been recognized in Protocol No 30 annexed to the Act of Accession;

Whereas to diminish the consequences of this situation it is necessary to authorize Ireland to take protective measures;

Whereas to meet this situation the measure causing the least disturbance to the functioning of the common market and contributing to a re-equilibrium of the situation is the control of exports and deliveries of sisal baler twine referred to above

to third countries and Member States by the introduction of a licence system; whereas the regime to be applied to other Member States may in no circumstances be more restrictive than that relating to third countries;

Whereas the duration of applicability of the measure provided for by this Decision must be limited to the period strictly necessary to achieve the objectives set out in Article 135 of the Act of Accession,

HAS ADOPTED THIS DECISION:

Article 1

Ireland is authorized to establish in respect of sisal baler twine (CCT heading No 59.04) a licence system in order to:

- limit exports of this product to third countries;
- control and, in so far as is necessary, limit deliveries of this product to other Member States, such regime however may in no circumstances be more restrictive than that applied to exports to third countries.

Article 2

1. Ireland shall notify the Commission immediately of those measures taken in application of Article 1 and shall inform the Commission regularly concerning the application of such measures.

2. Ireland shall inform the Commission of the development of the situation in the sector concerned with specific reference to the state of supplies of the product referred to in Article 1.

Article 3

1. The Commission shall ensure that the provisions of this Decision are applied, in particular with regard to the drawing-up and use of the licences.

2. The Commission shall, if appropriate, adopt the provisions necessary for the application of this Decision.

Article 4

The Commission may alter or revoke this Decision if it determines that the conditions which led to its enactment have changed or that its effects prove to be more restrictive than its purpose requires, or involve particularly serious consequences for all or part of the Community.

Article 5

Without prejudice to the application of Article 4, this Decision shall be applicable until 31 August 1974.

Article 6

This Decision is addressed to Ireland.

Done at Brussels, 11 June 1974.

For the Commission
The President

François-Xavier ORTOLI

COMMISSION DECISION

of 13 June 1974

exempting Ireland from applying to certain species the Council Directive of 29 September 1970 on the marketing of vegetable seed

(Only the English text is authentic)

(74/358/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 29 September 1970 ⁽¹⁾ on the marketing of vegetable seed, as last amended by the Council Directive of 11 December 1973 ⁽²⁾, and in particular Article 42 (a) and (b) thereof;

Having regard to the request made by Ireland;

Whereas chervil, asparagus, spinach beet, chard, water melon, fennel and scorzonera or black salsify seed have no significance for Ireland although they are produced or at least marketed there in insignificant quantities; whereas the Directive makes it possible to grant exemption for the species concerned, and at the same time does not lay down any particular requirements;

Whereas, moreover, kohlrabi and corn-salad or lamb's lettuce are not normally cultivated in Ireland; whereas the seeds of these species are not propagated or marketed there;

Whereas these conditions have held for sometime, it is appropriate to exempt Ireland from applying the provisions of the Directive to these latter species also;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

Ireland is exempted from applying the Council Directive of 29 September 1970 on the marketing of vegetable seed, with the exception of the provisions of Article 16 (1) and of Article 30 (1), to the species listed below:

- (a) *Anthriscus cerefolium* (L.) Hoffm. — chervil.
- (b) *Asparagus officinalis* L. — asparagus.
- (c) *Beta vulgaris* L. var. *cycla* (L.) Ulrich — spinach beet, chard.
- (d) *Brassica oleracea* L. var. *gongylodes* L. — kohlrabi.
- (e) *Citrullus vulgaris* L. — water melon.
- (f) *Foeniculum vulgare* P. Mill. — fennel.
- (g) *Scorzonera hispanica* L. — scorzonera or black salsify.
- (h) *Valerianella locusta* (L.) Betcke (V. *olitoria* Polt.) — corn-salad or lamb's lettuce.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 13 June 1974.

*For the Commission**The President*

François-Xavier ORTOLI

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 7.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79

COMMISSION DECISION

of 13 June 1974

authorizing the United Kingdom to permit, for a period which expires on 30 June 1975, the marketing of certain species of vegetable seed, harvested before 1 July 1973 and not fully satisfying the prescribed conditions for germination

(Only the English text is authentic)

(74/359/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 29 September 1970 ⁽¹⁾ on the marketing of vegetable seed, as last amended by the Council Directive of 11 December 1973 ⁽²⁾, and in particular Article 33a thereof;

Having regard to the request from the United Kingdom;

Whereas the United Kingdom has still some stocks of onion, leek, celery, red beet or beetroot, cauliflower, sprouting broccoli or calabrese, brussels sprouts, savoy cabbage, cabbage, red cabbage, carrot, runner bean and spinach seed which has been harvested there before 1 July 1973 and does

not fully satisfy the conditions for germination laid down in the abovementioned Directive;

Whereas the United Kingdom was obliged to apply the abovementioned Directive only from the 1 July 1973 and hence the seed in question had been produced under the conditions of the former national regulations;

Whereas it is appropriate, therefore, to authorize the United Kingdom to permit the marketing of these seeds, for a period which expires on 30 June 1975, provided they satisfy the requirements for germination laid down in the abovementioned national regulations;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 7.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorized to permit the marketing in its territory, for a period which expires on the 30 June 1975, of the following species of vegetable seed which have been harvested before 1 July 1973 and do not fully satisfy the conditions laid down in Annex II of the Council Directive of 29 September 1970 as to minimum germination, under the following conditions:

(a) Germination shall be at least:

— Allium cepa L.	65 % of pure seed;
— Allium porrum L.	55 % of pure seed;
— Apium graveolens L.	60 % of pure seed;
— Beta vulgaris L. var. esculenta L.	60 % of pure seed;
— Brassica oleracea L. convar. botrytis (L.) Alef. var botrytis	65 % of pure seed;
— Brassica oleracea L. convar. botrytis (L.) Alef. var. italica Plenck	65 % of pure seed;
— Brassica oleracea L. var. bullata subvar. gemmifera DC	70 % of pure seed;
— Brassica oleracea L. var. bullata DC. et var. sefanda L.	70 % of pure seed;
— Brassica oleracea L. var. capitata L.f. alba DC.	70 % of pure seed;

— Brassica oleracea L. var. capitata L.f. rubra (L.) Thell	70 % of pure seed;
— Daucus carota L. ssp. sativus (Hoffm.) Hayck	60 % of pure seed;
— Phaseolus coccineus L.	70 % of pure seed;
— Spinacea oleracea L.	70 % of pure seed;

(b) The label shall state that the germination is reduced and specify the minimum germination laid down under (a).

(c) The label shall bear the statement 'seed harvested before 1 July 1973'.

Article 2

The United Kingdom shall notify the Commission, before 31 December each year, of the quantity of vegetable seed which has been permitted to be marketed in its territory pursuant to this Decision. The Commission shall inform the other Member States.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 13 June 1974.

For the Commission
The President
François-Xavier ORTOLI

COMMISSION DECISION

of 13 June 1974

exempting the United Kingdom from applying to certain species the Council Directive of 30 June 1969 on the marketing of seed of oil and fibre plants

(Only the English text is authentic)

(74/360/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 30 June 1969 ⁽¹⁾ on the marketing of seed of oil and fibre plants, as last amended by the Council Directive of 11 December 1973 ⁽²⁾, and in particular Article 22 thereof;

Having regard to the request from the United Kingdom;

Whereas groundnut, hemp, caraway, cotton and opium poppy species are not normally cultivated in the United Kingdom, whereas the seeds of these species are no longer propagated or marketed there;

Whereas these conditions have held for sometime, it is appropriate to exempt the United Kingdom from applying the provisions of this Directive to the species in question;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is exempted from applying the Council Directive of 30 June 1969 on the marketing of seed of oil and fibre plants, with the exception of the provisions of Article 13 (1), to the species listed below:

- (a) *Arachis hypogaea* L. — groundnut (peanut);
- (b) *Cannabis sativa* L. — hemp;
- (c) *Carum carvi* L. — caraway;
- (d) *Gossypium* sp. — cotton;
- (e) *Papaver somniferum* L. — opium poppy.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 13 June 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

COMMISSION DECISION

of 13 June 1974

exempting the United Kingdom from applying to certain species the Council Directive of 14 June 1966 on the marketing of cereal seed

(Only the English text is authentic)

(74/361/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 14 June 1966 ⁽¹⁾ on the marketing of cereal seed, as last amended by the Council Directive of 11 December 1973 ⁽²⁾, and in particular Article 23a thereof;

Having regard to the request from the United Kingdom;

Whereas rice and canary grass are not normally cultivated in the United Kingdom; whereas the seeds of these species are not propagated or marketed there;

Whereas these conditions have held for sometime, it is appropriate to exempt the United Kingdom from applying the provisions of this Directive to the species in question;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Standing

Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is exempt from applying the Council Directive of 14 June 1966 on the marketing of cereal seed, with the exception of the provisions of Article 14 (1) to the species listed below:

- (a) *Oryza sativa* L. — rice;
- (b) *Phalaris canariensis* L. — canary grass.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 13 June 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

COMMISSION DECISION

of 13 June 1974

exempting the United Kingdom from applying to certain species the Council Directive of 14 June 1966 on the marketing of fodder plant seed

(Only the English text is authentic)

(74/362/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 14 June 1966 ⁽¹⁾ on the marketing of fodder plant seed, as last amended by the Council Directive of 11 December 1973 ⁽²⁾, and in particular Article 23a thereof;

Having regard to the request from the United Kingdom;

Whereas meadow foxtail, swamp meadowgrass,

golden oatgrass, sulla, berseem, egyptian clover, crimson clover, persian clover and fenugreek species are not normally cultivated in the United Kingdom; whereas the seeds of these species are not propagated or marketed there;

Whereas these conditions have held for sometime, it is appropriate to exempt the United Kingdom from applying the provisions of this Directive to the species in question;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is exempt from applying the Council Directive of 14 June 1966 on the marketing of fodder plant seed, with the exception of the provisions of Article 14 (1), to the species listed below:

- | | |
|---|-----------------------------|
| (a) <i>Alopecurus pratensis</i> L. | — meadow foxtail; |
| (b) <i>Poa palustris</i> L. | — swamp meadowgrass; |
| (c) <i>Trisetum flavescens</i> (L.) Pal. Beauv. | — golden oatgrass; |
| (d) <i>Hedysarum coronarium</i> L. | — sulla; |
| (e) <i>Trifolium alexandrinum</i> L. | — berseem, egyptian clover; |
| (f) <i>Trifolium incarnatum</i> L. | — crimson clover; |
| (g) <i>Trifolium resupinatum</i> L. | — persian clover; |
| (h) <i>Trigonella foenumgraecum</i> L. | — fenugreek. |

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 13 June 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

COMMISSION DECISION

of 13 June 1974

exempting the United Kingdom from applying to certain species the Council Directive of 29 September 1970 on the marketing of vegetable seed

(Only the English text is authentic)

(74/363/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

Having regard to the Treaty establishing the European Economic Community;

HAS ADOPTED THIS DECISION:

Having regard to the Council Directive of 29 September 1970 ⁽¹⁾ on the marketing of vegetable seed, as last amended by the Council Directive of 11 December 1973 ⁽²⁾, and in particular Article 42a thereof;

Article 1

The United Kingdom is exempted from applying the provisions of Articles 3 to 15 of the Council Directive of 29 September 1970 on the marketing of vegetable seed, to the species listed below:

Having regard to the request from the United Kingdom;

(a) *Asparagus officinalis* L. — asparagus;

Whereas asparagus and chicory seed have no significance for the United Kingdom although they are marketed there; whereas the Directive makes it possible to grant exemption for the species concerned, and at the same time does not lay down any particular requirements;

(b) *Chicorium intybus* L. var. *foliosium* Bisch. — chicory.

Article 2

Whereas it is, therefore appropriate to exempt the United Kingdom from applying the provisions of the Directive, relating to the establishment of a national catalogue of varieties, to the species in question while maintaining the obligation to apply the provisions relating to the marketing of seed;

This Decision is addressed to the United Kingdom.

Done at Brussels, 13 June 1974.

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Standing

For the Commission
The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 7.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

COMMISSION DECISION

of 13 June 1974

provisionally authorizing the French Republic to prohibit the marketing, in France,
of dwarf french bean seed of the variety 'Koralle'

(Only the French text is authentic)

(74/364/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community;

Having regard to the Council Directive of
29 September 1970 ⁽¹⁾ on the marketing of vegetable
seed, as last amended by the Council Directive of
11 December 1973 ⁽²⁾, and in particular Article 16 (2)
thereof;

Having regard to the request made by the French
Republic;

Whereas the variety of dwarf french beans 'Koralle'
has been accepted in two Member States in
accordance with principles which comply with those
of the abovementioned Directive and also of the
Commission Directive of 14 April 1972 ⁽³⁾ on
determining the characteristics and minimum
conditions for inspecting vegetable varieties; whereas,
consequently, it is published in the 'Common
Catalogue of varieties of vegetables species' ⁽⁴⁾, and
therefore, in accordance with the provisions of
Article 16 (1) of the aforesaid Directive, the seed of
this variety is not subject within the Community to
any marketing restrictions relating to variety;

Whereas the variety 'Koralle' has been subjected, in
France, to official examinations which also complied
with the principles of the Commission Directive of
14 April 1972;

Whereas according to the results of these
examinations and in comparison with national rules
governing the acceptance of varieties in France, and
applicable within the framework of the definitions
prescribed under Article 5 of the Directive quoted in
the citation, the variety is not sufficiently uniform;
whereas, in particular, the degree of homogeneity of
the leaf colour, length and transversal cut of the pod,
(characteristics listed under Nos 3, 5.1 and 5.2 of
point 29 'French beans' of Annex I to the
abovementioned Directive on determining the
characteristics) does not comply with French
requirements;

Whereas the Community has not yet laid down
comprehensive and uniform rules governing the
admission of french bean varieties; whereas,
nevertheless, crop examination of the variety
'Koralle' should be carried out, under Community
responsibility, in order to arrive at a uniform
conclusion regarding its homogeneity;

Whereas it is appropriate therefore to accede
provisionally to the request of the French Republic,
while awaiting the outcome of the results of these
crop examinations;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized, pending a further
Decision, to prohibit the marketing in its territory,
of dwarf french bean seed of the variety 'Koralle',
published in the Common Catalogue of varieties of
vegetable species.

Article 2

The French Republic shall inform the Commission
from which date and according to what methods it
will avail of the authorization given in Article 1. The
Commission shall inform the other Member States.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 13 June 1974.

For the Commission
The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 225, 25. 10. 1970, p. 7.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 103, 2. 5. 1972, p. 6.

⁽⁴⁾ OJ No C 69, 29. 6. 1972, p. 74.

COMMISSION DECISION

of 13 June 1974

provisionally authorizing the French Republic to prohibit the marketing, in France,
of dwarf french bean seed of the variety 'Midas'

(Only the French text is authentic)

(74/365/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community;

Having regard to the Council Directive of
29 September 1970 ⁽¹⁾ on the marketing of vegetable
seed, as last amended by the Council Directive of
11 December 1973 ⁽²⁾, and in particular Article 16 ⁽²⁾
thereof;

Having regard to the request made by the French
Republic;

Whereas the variety of dwarf french beans 'Midas'
has been accepted in two Member States in
accordance with principles which comply with those
of the abovementioned Directive and also of the
Commission Directive of 14 April 1972 ⁽³⁾ on
determining the characteristics and minimum
conditions for inspecting vegetable varieties;
whereas, consequently, it is published in
the 'Common Catalogue of varieties of vegetable
species' ⁽⁴⁾, and therefore, in accordance with the
provisions of Article 16 (1) of the aforesaid
Directive, the seed of this variety is not subject
within the Community to any marketing restrictions
relating to variety;

Whereas the variety 'Midas' has been subjected, in
France, to official examinations which also complied
with the principles of the Commission Directive of
14 April 1972;

Whereas according to the results of these
examinations and in comparison with national rules
governing the acceptance of varieties in France, and
applicable within the framework of the definitions
prescribed under Article 5 of the Directive quoted in
the citation, the variety is not sufficiently uniform;
whereas, in particular, the degree of homogeneity of
the length and transversal cut of the pod,
(characteristics listed under Nos 5.1 and 5.2 of point
29 'French beans' of Annex I to the abovementioned
Directive on determining the characteristics) does
not comply with French requirements;

Whereas the Community has not yet laid down
comprehensive and uniform rules governing the
admission of french bean varieties; whereas,
nevertheless, crop examinations of the variety
'Midas' should be carried out under Community
responsibility, in order to arrive at a uniform
conclusion regarding its homogeneity;

Whereas it is appropriate, therefore, to accede
provisionally to the request of the French Republic,
while awaiting the outcome of the results of these
crop examinations;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized, pending a
further Decision, to prohibit the marketing, in its
territory, of dwarf french bean seed of the variety
'Midas', published in the Common Catalogue of
varieties of vegetable species.

Article 2

The French Republic shall inform the Commission
from which date and according to what methods it
will avail of the authorization given in Article 1.
The Commission shall inform the other Member
States.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 13 June 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 225, 25. 10. 1970, p. 7.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 103, 2. 5. 1972, p. 6.

⁽⁴⁾ OJ No C 69, 29. 6. 1972, p. 75.

COMMISSION DECISION

of 13 June 1974

provisionally authorizing the French Republic to prohibit the marketing, in France,
of dwarf french bean seed of the variety 'Sim'

(Only the French text is authentic)

(74/366/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community;

Having regard to the Council Directive of
29 September 1970 ⁽¹⁾ on the marketing of vegetable
seed, as last amended by the Council Directive of
11 December 1973 ⁽²⁾, and in particular Article 16
(2) thereof;

Having regard to the request made by the French
Republic;

Whereas the variety of dwarf french beans 'Sim' has
been accepted in one Member State in accordance
with principles which comply with those of the
abovementioned Directive and also of the
Commission Directive of 14 April 1972 ⁽³⁾ on
determining the characteristics and minimum
conditions for inspecting vegetable varieties;
whereas, consequently, it is published in the
Common Catalogue of varieties of vegetable
species ⁽⁴⁾, and therefore, in accordance with the
provisions of Article 16 (1) of the aforesaid
Directive, the seed of this variety is not subject
within the Community to any marketing restrictions
relating to variety;

Whereas the variety 'Sim' has been subjected, in
France, to official examination which also complied
with the principles of the Commission Directive of
14 April 1972;

Whereas according to the results of these
examinations and in comparison with national rules
governing the acceptance of varieties in France, and
applicable within the framework of the definitions
prescribed under Article 5 of the Directive quoted in
the citation, the variety is not sufficiently uniform;
whereas, in particular, the degree of homogeneity of
the leaf colour, of the length, transversal cut and
fibres of the pod, and also of maturity
(characteristics listed under Nos 3, 5.1, 5.2, 5.4 and 7
of point 29 'French beans' of Annex I to the
abovementioned Directive on determining the

characteristics) does not comply with French
requirements;

Whereas the Community has not yet laid down
comprehensive and uniform rules governing the
admission of french bean varieties; whereas,
nevertheless, crop examinations of the variety 'Sim'
should be carried out, under Community
responsibility, in order to arrive at a uniform
conclusion regarding its homogeneity;

Whereas it is appropriate therefore to accede
provisionally to the request of the French Republic,
while awaiting the outcome of the results of these
crop examinations;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized, pending a
further Decision, to prohibit the marketing, in its
territory, of dwarf french bean seed of the variety
'Sim' published in the Common Catalogue of
varieties of vegetable species.

Article 2

The French Republic shall inform the Commission
from which date and according to what methods it
will avail of the authorization given in Article 1.
The Commission shall inform the other Member
States.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 13 June 1974.

For the Commission
The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 225, 25. 10. 1970, p. 7.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 103, 2. 5. 1972, p. 6.

⁽⁴⁾ OJ No C 69, 29. 6. 1972, p. 80.

COMMISSION DECISION

of 13 June 1974

provisionally authorizing the French Republic to prohibit the marketing, in France,
of dwarf french bean seed of the variety 'Dustor'

(Only the French text is authentic)

(74/367/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community;

Having regard to the Council Directive of
29 September 1970 ⁽¹⁾ on the marketing of vegetable
seed, as last amended by the Council Directive of
11 December 1973 ⁽²⁾, and in particular Article 16 ⁽²⁾
thereof;

Having regard to the request made by the French
Republic;

Whereas the variety of dwarf french beans 'Dustor'
has been accepted in one Member State in
accordance with principles which comply with those
of the abovementioned Directive and also of the
Commission Directive of 14 April 1972 ⁽³⁾ on
determining the characteristics and minimum
conditions for inspecting vegetable varieties; whereas,
consequently, it is published in the 'Common
Catalogue of varieties of vegetable species' ⁽⁴⁾ and
therefore, in accordance with the provisions of
Article 16 (1) of the aforesaid Directive, the seed of
this variety is not subject within the Community to
any marketing restrictions relating to variety;

Whereas the variety 'Dustor' has been subjected, in
France, to official examinations which also complied
with the principles of the Commission Directive of
14 April 1972;

Whereas according to the results of these
examinations and in comparison with national rules
governing the acceptance of varieties in France, and
applicable within the framework of the definitions
prescribed under Article 5 of the Directive quoted in
the citation, the variety is not sufficiently uniform;
whereas, in particular, the degree of homogeneity of
the leaf colour, length and transversal cut of the
pod, (characteristics listed under Nos 3, 5.1 and 5.2
of point 29 'French beans' of Annex I to the
abovementioned Directive on determining the
characteristics) does not comply with French
requirements;

Whereas the Community has not yet laid down
comprehensive and uniform rules governing the
admission of french bean varieties; whereas,
nevertheless, crop examinations of the variety
'Dustor' should be carried out, under Community
responsibility, in order to arrive at a uniform
conclusion regarding its homogeneity;

Whereas it is appropriate therefore to accede
provisionally to the request of the French Republic,
while awaiting the outcome of the results of these
crop examinations;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized, pending a
further Decision, to prohibit the marketing, in its
territory, of dwarf french bean seed of the variety
'Dustor' published in the Common Catalogue of
varieties of vegetable species.

Article 2

The French Republic shall inform the Commission
from which date and according to what methods it
will avail of the authorization given in Article 1.
The Commission shall inform the other Member
States.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 13 June 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 225, 25. 10. 1970, p. 7.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 103, 2. 5. 1972, p. 6.

⁽⁴⁾ OJ No C 69, 29. 6. 1972, p. 71.

COMMISSION DECISION

of 14 June 1974

amending for the second time the Decision of 7 November 1973 issuing a standing invitation to tender for the export of 50 000 metric tons of barley held by the German intervention agency

(Only the German text is authentic)

(74/368/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1125/74⁽²⁾, and in particular Article 7 (5) thereof;

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

Whereas, through its Decision of 7 November 1973⁽⁵⁾, as amended by the Decision of 23 April 1974⁽⁶⁾, the Commission issued a standing invitation to tender for the export of 140 937 metric tons of barley held by the German intervention agency; whereas the last date on which tenders may be submitted was fixed at 24 June 1974;

Whereas the tenders submitted up to now have led to the sale of about 92 000 metric tons of barley; whereas there is the possibility of selling the remainder during the coming weeks;

Whereas the Federal Republic of Germany has requested an extension of the invitation to tender in

order to permit the sale of the quantity which has not yet been the subject of an award;

Whereas the circumstances which led to the Decision of 7 November 1973 are unchanged; whereas it is therefore justifiable to put back to 12 July 1974 the terminal date laid down for the submission of tenders;

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 4 of the Commission Decision of 7 November 1973 the date '24 June 1974' is replaced by '12 July 1974'.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 14 June 1974.

For the Commission
The President

François-Xavier ORTOLI

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

⁽²⁾ OJ No L 128, 10. 5. 1974, p. 12.

⁽³⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁴⁾ OJ No L 17, 20. 1. 1973, p. 17.

⁽⁵⁾ OJ No L 346, 17. 12. 1973, p. 8.

⁽⁶⁾ OJ No L 136, 20. 5. 1974, p. 12.

COMMISSION DECISION

of 14 June 1974

amending for the second time the Decision of 31 October 1973 issuing a standing invitation to tender for the export of 100 000 metric tons of rye held by the German intervention agency

(Only the German text is authentic)

(74/369/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1125/74⁽²⁾, and in particular Article 7 (5) thereof;

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

Whereas, through its Decision of 31 October 1973⁽⁵⁾, as amended by the Decision of 23 April 1974⁽⁶⁾, the Commission issued a standing invitation to tender for the export of 163 477 metric tons of rye held by the German intervention agency; whereas the last date on which tenders may be submitted was fixed at 14 June 1974;

Whereas the tenders submitted up to now have led to the sale of about 135 000 metric tons of rye; whereas there is the possibility of selling the remainder during the coming weeks;

Whereas the Federal Republic of Germany has requested an extension of the invitation to tender in

order to permit the sale of the quantity which has not yet been the subject of an award;

Whereas the circumstances which led to the Decision of 31 October 1973 are unchanged; whereas it is therefore justifiable to put back to 12 July 1974 the terminal date laid down for the submission of tenders;

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 4 of the Commission Decision of 31 October 1973 the date '14 June 1974' is replaced by '12 July 1974'.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 14 June 1974.

For the Commission

The President

François-Xavier ORTOLI

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

⁽²⁾ OJ No L 128, 10. 5. 1974, p. 12.

⁽³⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁴⁾ OJ No L 17, 20. 1. 1973, p. 17.

⁽⁵⁾ OJ No L 355, 24. 12. 1973, p. 63.

⁽⁶⁾ OJ No L 136, 20. 5. 1974, p. 13.

COMMISSION OPINION

of 17 June 1974

to be sent to the Government of France concerning an order relating to the application of Council Regulation (EEC) No 543/69 of 25 March 1969 relative to the harmonization of certain social matters in the field of road transport

(74/370/EEC)

In conformity with Article 18 (1) of Council Regulation (EEC) No 543/69 of 25 March 1969, the Government of France has communicated to the Commission by letter of 29 March 1974 a Draft Order entitled:

'Draft order dealing with recognition of training of road transport drivers for the application of Article 5 of Council Regulation (EEC) No 543/69 of 25 March 1969 relating to the harmonization of certain social provisions in the field of road transport.'

1. The order in question is for the purpose of enabling the Government of France to lay down (pending a Directive from the Council on the proposal from the Commission) national regulations for obtaining a diploma by those who wish to take up employment as drivers of goods vehicles, of over 7.5 metric tons weight, which will be recognized as a certificate of professional competence for those between 18 and 21 years of age and as a certificate of adult training.
2. The Commission is of the opinion that the draft order and the proposed regulations are designed to achieve objects similar to those to which it will be addressing itself in proposals to be placed before the Council.
3. The Commission therefore pronounces in favour of the abovementioned ministerial order.

Done at Brussels, 17 June 1974.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 24 June 1974

derogation from High Authority recommendation No 1/64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community

(sixty-second derogation)

(Only the English text is authentic)

(74/371/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 2 to 5, 8, 71 and 74 thereof;

Having regard to High Authority recommendation No 1/64 ⁽¹⁾ of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community, and in particular Article 3 thereof;

Whereas the Government of the United Kingdom has requested the Commission to authorize, for the third quarter of 1974, duty free imports of 50 000 metric tons of coils for re-rolling from third countries;

Whereas the United Kingdom has established the continued inadequacy of its national supplies of coils, an inadequacy still attributable to exceptional economic and social circumstances which have recently affected the United Kingdom iron and steel market; whereas it appears impossible for users to find the necessary supply on the Community market; whereas the duty-free import of 50 000 metric tons of coils during a three-month period would facilitate the return of normal conditions in the United Kingdom iron and steel market;

Whereas this exceptional importation is justified for reasons of commercial policy provided for in Article 3 of High Authority recommendation No 1/64; whereas the Commission consequently considers it necessary to grant a derogation from recommendation No 1/64;

Whereas the Governments of the Member States have been consulted on the abovementioned request,

HAS ADOPTED THIS DECISION:

Article 1

The Government of the United Kingdom is authorized to derogate from the obligations arising under Article 1 of High Authority recommendation No 1/64 of 15 January 1964 to the extent necessary to import at zero duty, from third countries, 50 000 metric tons of iron and steel coils for re-rolling, under heading No 73.08 of the Common Customs Tariff.

Article 2

1. The Government of the United Kingdom shall be required to ensure, in liaison with the Commission, that the quota is distributed on a non-discriminatory basis among third countries.
2. It shall be required to take all necessary steps to rule out the possibility of iron and steel products imported under the tariff quota being re-exported to other Member States in the same state as that in which it was imported.

Article 3

1. This Decision is addressed to the United Kingdom.
2. It shall be valid until 30 September 1974.

Done at Brussels, 24 June 1974.

For the Commission
The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

COMMISSION DECISION

of 27 June 1974

fixing the minimum export levy for the invitation to tender for the export of milled long grained rice issued under Regulation (EEC) No 813/74

(74/372/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

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

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

Whereas an invitation to tender for the export levy on milled long grained rice was issued under Commission Regulation (EEC) No 813/74⁽⁵⁾ of 5 April 1974, as last amended by Regulation (EEC) No 1367/74 of 31 May 1974⁽⁶⁾; whereas the notice of invitation to tender⁽⁷⁾, amended on 1 June 1974⁽⁸⁾, associated with this Regulation specified that the total tonnage for which the export levy could be fixed was approximately 60 000 metric tons;

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

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

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

Whereas it follows from applying these rules to the present situation on the market for the rice in question that the minimum export levy should be fixed as shown in Article 1; whereas the tonnage of milled long grained rice to which this minimum applies is 2 350 metric tons;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum export levy for milled long grained rice fixed on the basis of tenders submitted for 27 June 1974 is hereby fixed at 40 units of account per metric ton.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 June 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

(¹) OJ No 174, 31. 7. 1967, p. 1.

(²) OJ No L 73, 27. 3. 1972, p. 14.

(³) OJ No L 282, 9. 10. 1973, p. 13.

(⁴) OJ No L 326, 27. 11. 1973, p. 10.

(⁵) OJ No L 96, 6. 4. 1974, p. 11.

(⁶) OJ No L 147, 1. 6. 1974, p. 52.

(⁷) OJ No C 39, 6. 4. 1974, p. 35.

(⁸) OJ No C 63, 1. 6. 1974, p. 11.

COMMISSION DECISION

of 27 June 1974

fixing the minimum export levy for the invitation to tender for the export of husked long grained rice issued under Regulation (EEC) No 888/74

(74/373/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing European Economic Community;

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

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

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

Whereas an invitation to tender for the export levy on husked long grained rice was issued under Commission Regulation (EEC) No 888/74⁽⁵⁾ of 16 April 1974; whereas the notice of invitation to tender⁽⁶⁾, amended 10 May 1974⁽⁷⁾, associated with this Regulation specified that the total tonnage for which the export levy could be fixed was approximately 30 000 metric tons;

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

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

— the economic aspect of the exports;

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

Whereas it follows from applying these rules to the present situation on the market for the rice in question that the minimum export levy should be fixed as shown in Article 1; whereas the tonnage of husked long grained rice to which this minimum applies is 4 000 metric tons;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum export levy for husked long grained rice fixed on the basis of tenders submitted for 27 June 1974 is hereby fixed at 37 units of account per metric ton.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 June 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 282, 9. 10. 1973, p. 13.

⁽⁴⁾ OJ No L 326, 27. 11. 1973, p. 10.

⁽⁵⁾ OJ No L 104, 17. 4. 1974, p. 13.

⁽⁶⁾ OJ No C 43, 17. 4. 1974, p. 4.

⁽⁷⁾ OJ No C 54, 10. 5. 1974, p. 3.