

## COMMISSION DECISION

of 6 April 1978

fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EEC) No 1931/77

(78/373/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 2560/77<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds<sup>(3)</sup>, and in particular Article 5 thereof,

Having regard to Commission Regulation (EEC) No 1931/77 of 26 August 1977 on an invitation to tender for the refund for the export of barley to Zones I, II, III, IV and VI<sup>(4)</sup>, as amended by Regulation (EEC) No 2723/77<sup>(5)</sup>,

Whereas in Regulation (EEC) No 1931/77 an invitation to tender was issued for the export refund on barley; whereas, according to the notice of invitation to tender<sup>(6)</sup> accompanying that Regulation, the total quantity in respect of which the export refund may be fixed is approximately 2 800 000 tonnes;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75 of 4 February 1975 laying down detailed rules for the application of the system of tendering for export refunds on cereals<sup>(7)</sup>, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in fixing this maximum the criteria provided for in Arti-

cles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1; whereas the quantities of barley in respect of which refunds are fixed amount to 54 500 tonnes;

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 maximum export refund on barley is hereby fixed on the basis of the tenders submitted by 6 April 1978 at 62.25 units of account per tonne.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 6 April 1978.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 303, 28. 11. 1977, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 219, 27. 8. 1977, p. 5.

<sup>(5)</sup> OJ No L 315, 9. 12. 1977, p. 14.

<sup>(6)</sup> OJ No C 207, 30. 8. 1977, p. 7.

<sup>(7)</sup> OJ No L 31, 5. 2. 1975, p. 8.