

- (h) "Grains" means wheat, rye, barley, oats, maize and sorghum;
- (i) "wheat" includes wheat grain of any description, class, type, grade or quality and, except where the context otherwise requires, wheat flour;
- (j) "Crop year" means the period from 1 July to 30 June;
- (k) "Bushel" means in the case of wheat sixty pounds avoirdupois or 27.2155 kilogrammes;
- (l) "Metric ton", or 1,000 kilogrammes, means in the case of wheat 36.74371 bushels;
- (m) (i) "Purchase" means a purchase for import of wheat exported or to be exported from an exporting member or from other than an exporting member, as the case may be, or the quantity of such wheat so purchased, as the context requires;
- (ii) "Sale" means a sale for export of wheat imported or to be imported by an importing member or by other than an importing member, as the case may be, or the quantity of such wheat so sold, as the context requires;
- (iii) Where reference is made in this Convention to a purchase or sale, it shall be understood to refer not only to purchases or sales concluded between the Governments concerned but also to purchases or sales concluded between private traders and to purchases or sales concluded between a private trader and the Government concerned. In this definition "Government" shall be deemed to include the Government of any territory in respect of which the rights and obligations of any Government ratifying, accepting, approving or acceding to this Convention apply under Article 28;
- (n) Any reference in this Convention to a "Government represented at the United Nations Wheat Conference, 1971" shall be construed as including a reference to the European Economic Community (hereinafter referred to as the EEC). Accordingly, any reference in this Convention to "signature" or to the "deposit of instruments of ratification, acceptance or approval" or "an instrument of accession" or a "declaration of provisional application" by a Government shall, in the case of the EEC be construed as including signature or declaration of provisional application on behalf of the EEC by its competent authority and the deposit of the instrument required by the institutional procedures of the EEC to be deposited for the conclusion of an international agreement.

(2) All calculations of the wheat equivalent of purchases of wheat flour shall be made on the basis of the rate of extraction indicated by the contract between the buyer and the seller. If no such rate is indicated, seventy-two units by weight of wheat flour shall, for the purpose of such calculations, be deemed to be equivalent to one hundred units by weight of wheat grain unless the Council decides otherwise.

### ARTICLE 3

#### *Commercial purchases and special transactions*

(1) A commercial purchase for the purposes of this Convention is a purchase as defined in Article 2 which conforms to the usual commercial practices in international trade and which does not include those transactions referred to in paragraph (2) of this Article.