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#### Contents

#### I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ..... 1
- ★ Council Regulation (EEC) No 1419/76 of 21 June 1976 fixing the target price for husked rice for the 1975/76 marketing year ..... 13
- ★ Council Regulation (EEC) No 1420/76 of 21 June 1976 fixing intervention prices for paddy rice for the 1975/76 marketing year ..... 14
- ★ Council Regulation (EEC) No 1421/76 of 21 June 1976 fixing cereal and rice prices for the 1976/77 marketing year ..... 15
- ★ Council Regulation (EEC) No 1422/76 of 21 June 1976 laying down rules for determining rice marketing centres other than Arles and Vercelli ..... 18
- ★ Council Regulation (EEC) No 1423/76 of 21 June 1976 determining standard qualities for rice and broken rice ..... 20
- ★ Council Regulation (EEC) No 1424/76 of 21 June 1976 laying down general rules for intervention on the market in rice ..... 24
- ★ Council Regulation (EEC) No 1425/76 of 21 June 1976 on special intervention measures for rice ..... 26
- ★ Council Regulation (EEC) No 1426/76 of 21 June 1976 fixing, for the 1975/76 marketing year, the monthly price increases for paddy rice and husked rice ..... 28
- ★ Council Regulation (EEC) No 1427/76 of 21 June 1976 fixing, for the 1976/77 marketing year, the monthly price increases for paddy rice and husked rice ..... 29
- ★ Council Regulation (EEC) No 1428/76 of 21 June 1976 on rules for the advance fixing of levies on rice and broken rice ..... 30

Contents (continued)

★ Council Regulation (EEC) No 1429/76 of 21 June 1976 determining for the 1975/76 marketing year the threshold prices for husked rice and broken rice and the protective amount to be included in the threshold price for wholly milled rice .....	33
★ Council Regulation (EEC) No 1430/76 of 21 June 1976 fixing, for the 1976/77 marketing year, the protective amount to be included in the threshold price for wholly milled rice .....	35
★ Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds	36
★ Council Regulation (EEC) No 1432/76 of 21 June 1976 laying down general rules to be applied in the event of the market in rice being disturbed .....	39
★ Council Regulation (EEC) No 1433/76 of 21 June 1976 laying down conditions for applying protective measures in the market in rice .....	42
★ Council Regulation (EEC) No 1434/76 of 21 June 1976 concerning imports of rice from the Arab Republic of Egypt .....	45
★ Council Regulation (EEC) No 1435/76 of 21 June 1976 laying down general rules for the system of accession compensatory amounts for rice and fixing these amounts for certain products .....	47

## I

(Acts whose publication is obligatory)

## COUNCIL REGULATION (EEC) No 1418/76

of 21 June 1976

on the common organization of the market in rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Whereas since their adoption the basic provisions concerning the organization of the market in rice have been amended a number of times; whereas, by reason of their number, their complexity and their dispersal among various Official Journals, these texts are difficult to use and thus lack the clarity which should be an essential feature of all legislation; whereas they should therefore be consolidated in a single text;

Whereas the operation and development of the common market in agricultural products must be accompanied by the establishment of a common agricultural policy to include in particular a common organization of agricultural markets which may take various forms depending on the product;

Whereas the common organization of the market in rice should include a single price system for the Community; whereas this system may be established through the annual fixing of a target price for husked rice valid for the whole Community, of an intervention price for paddy rice at which the competent agencies are obliged to buy in the rice which is offered to them, and of a threshold price for husked rice, wholly milled rice and broken rice to which the price of imported products must be equated by means of a variable import levy;

Whereas the aim of the common agricultural policy is to attain the objectives set out in Article 39 of the Treaty; whereas in the rice sector, in order to stabilize markets and to ensure a fair standard of living for the agricultural community concerned, intervention agencies should continue to take intervention measures on the market;

Whereas free movement within the Community should enable surpluses in production areas to be offset against requirements in deficit areas; whereas, so as not to impede such offsetting, intervention prices should be fixed in such a way that the differences between them reflect the disparities which, given a normal harvest, arise under natural conditions of price formation on the market, and that the forces of supply and demand may adapt freely on that market;

Whereas the smooth adjustment of the market to the regionalization of prices requires intervention agencies to be able, in special circumstances, to take intervention measures suited to those circumstances; whereas, however, so that the required uniformity of intervention systems may be maintained, those special circumstances should be assessed and the appropriate measures determined at Community level;

Whereas the target price, intervention prices and threshold prices should, in the course of the marketing year, be subject to a certain number of monthly increases in order to take account, *inter alia*, of storage costs and interest charges for storing rice in the Community and of the need to ensure that the disposal of stocks conforms to market requirements;

<sup>(1)</sup> OJ No C 53, 8. 3. 1976, p. 43.

Whereas, because of the special situation of the market in starches, it may prove necessary to provide for a production refund, such as will ensure that the broken rice used by this industry is made available to it at a lower price than that which would result from applying the system of levies and common prices;

Whereas the creation of a single Community market for rice involves, apart from a single price system, the introduction of a single trading system at the external frontiers of the Community; whereas, a trading system including levies and export refunds, combined with intervention measures, also serves to stabilize the Community market, in particular by preventing price fluctuations on the world market from affecting prices ruling within the Community; whereas, therefore, provision should be made for charging a levy on imports from third countries and for the payment of a refund on exports to those countries, both being designed to cover the difference between prices ruling outside and within the Community;

Whereas the calculation of that levy and of that refund can be made on the basis of the respective prices of the most representative products in the rice sector, namely husked rice, wholly milled rice and broken rice; whereas the calculation of the levy and the refund applicable to rice offered at other stages of processing can be made on the basis of the levy and the refund applicable to whichever of those three products is nearest to the processing stage of the rice in question; whereas, moreover, as regards semi-milled and wholly milled rice and the products processed from rice which are covered by this Regulation, account should be taken, when calculating the levy, of the need to ensure a measure of protection for the Community processing industry;

Whereas, in addition to the system described above, and to the extent necessary for its proper working, provision should be made for regulating or, when the situation on the market so requires, prohibiting totally or in part the use of inward processing arrangements; whereas, moreover, the refund should be fixed in such a way that operations under inward processing arrangements do not lead the Community processing industry to use, with a view to export, basic products imported from third countries in preference to Community basic products;

Whereas the competent authorities must be in a position constantly to follow trade movements in

order to assess market trends and to apply the measures laid down in this Regulation as necessary; whereas, to that end, provision should be made for the issue of import and export licences accompanied by the provision of a security guaranteeing that the transactions for which such licences are requested are effected;

Whereas the levy system makes it possible to dispense with all other protective measures at the external frontiers of the Community; whereas, however, the common price and levy machinery may in exceptional circumstances prove defective; whereas in such cases, so as not to leave the Community market without defence against disturbances which may arise therefrom, the Community should be enabled to take all necessary measures without delay;

Whereas, at a time when prices on the world market are high, there should be provisions enabling the appropriate measures to be taken to ensure Community supplies and maintain price stability on Community markets;

Whereas the establishment of a single market based on a common prices system would be jeopardized by the granting of certain aids; whereas, therefore, the provisions of the Treaty which allow the assessment of aids granted by Member States and the prohibition of those which are incompatible with the common market should be made to apply to rice;

Whereas under the Food Aid Convention provision has been made for food aid to be provided in the form of rice; whereas provision should therefore be made whereby rice and products processed from rice may be mobilized for food-aid operations; whereas these products may be bought on the Community market, be drawn from stocks of rice held by intervention agencies or, in exceptional circumstances, be bought on the world market;

Whereas it is necessary that, as the common market in rice develops, the Member States and the Commission should keep each other supplied with the information necessary for applying this Regulation; whereas this exchange of information is especially necessary in the case of international commitments;

Whereas, in order to facilitate implementation of the proposed measures, a procedure should be

provided for establishing close cooperation between Member States and the Commission within the Management Committee for Cereals;

Whereas the common organization of the market in rice must take appropriate account, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty;

Whereas the expenditure incurred by the Member States as a result of the obligations arising out of the application of this Regulation fall on the Community in accordance with the provisions of Articles 2 and 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy <sup>(1)</sup>, as last amended by Regulation (EEC) No 2788/72 <sup>(2)</sup>,

HAS ADOPTED THIS REGULATION:

#### Article 1

1. The common organization of the market in rice shall comprise a price and trading system and cover the following products:

CCT heading No	Description of goods
(a) 10.06 A I 10.06 A II 10.06 B	Paddy rice Husked rice Semi-milled or wholly milled rice
(b) 10.06 C	Broken rice
(c) 11.01 F 11.02 A VI 11.02 E II d) 1 11.02 F VI 11.08 A II	Rice flour Rice groats and meal Flaked rice Rice pellets Rice starch

2. For the purposes of this Regulation, the terms 'paddy rice', 'husked rice', 'semi-milled rice', 'wholly milled rice', 'round grain rice', 'long grain rice' and 'broken rice' are defined in Annex A.

<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(2)</sup> OJ No L 295, 30. 12. 1972, p. 1.

## TITLE I

### Prices

#### Article 2

1. Before 1 August of each year, a target price for husked rice shall be fixed for the Community for the marketing year beginning during the following calendar year.
2. This price shall be fixed for round grain rice of a standard quality.
3. This price shall be fixed for Duisburg at the wholesale stage, goods in bulk, delivered to warehouse, not unloaded.
4. The price mentioned in this Article and the standard quality for which it is fixed shall be determined in accordance with the procedure laid down in Article 43 (2) of the Treaty.

#### Article 3

The marketing year for all the products listed in Article 1 shall begin on 1 September and end on 31 August of the following year.

#### Article 4

1. In order to guarantee to producers that the market price does not fall below a minimum level, intervention prices for paddy rice shall be fixed for the Community.
2. These prices shall be fixed for round grain paddy rice, of a standard quality determined by reference to the variety chosen for determining the standard quality for which the target price of husked rice is fixed, at the same stage and under the same conditions as the latter price.
3. Intervention prices shall be fixed for Arles and Vercelli and determined as follows:
  - by calculating the derived target price for husked rice for Arles and Vercelli, respectively,
  - by converting that price into a price for paddy rice on the basis of the conversion rates, processing costs and the value of by-products.

The calculation mentioned above shall be made in such a way that the differences between the intervention prices and also the differences between

them and the target price correspond to the price disparities to be expected in a normal harvest under natural conditions of price formation on the market and allow the free movement of rice within the Community in accordance with the requirements of the market.

For other large marketing centres in areas of surplus production within the Community, the following prices shall apply:

- the intervention price for Arles to centres in France;
- the intervention price for Vercelli to centres in Italy.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall fix the intervention prices for Arles and Vercelli each year, before 1 May, for the following rice marketing year.

5. Rules for the determination of large marketing centres for areas of surplus production other than Arles and Vercelli, and the standard quality to which the intervention prices relate, shall be adopted in accordance with the procedure referred to in paragraph 4.

6. The marketing centres mentioned in the third subparagraph of paragraph 3 shall, after consultation with the Member States concerned, be determined before 1 July of each year for the following marketing year, in accordance with the procedure laid down in Article 27.

#### Article 5

1. Throughout the marketing year the intervention agencies designated by Member States shall be obliged to buy in paddy rice harvested in the Community which is offered to them, provided the offers comply with conditions, in particular in respect of quality and quantity, to be determined in accordance with paragraph 5.

2. The intervention agencies shall buy in at the intervention price ruling for the marketing centre at which the paddy rice is offered, under conditions determined in accordance with paragraphs 4 and 5.

If the quality of the paddy rice offered is different from the standard quality for which the intervention price has been fixed, the intervention price shall be adjusted by applying:

- corrective amounts representing the differences in value between the variety which corresponds to the standard quality and the other varieties; and

- price increases or reductions representing in quality not attributable to the variety classification of the product.

3. Under the conditions laid down in accordance with paragraphs 4 and 5, intervention agencies shall offer for sale, for export to third countries or for supply to the internal market, paddy rice bought in pursuant to paragraph 1.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules governing intervention.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27, in particular as regards:

- the minimum quality and quantity required for intervention;
- the corrective amounts applicable to intervention whether for all or for some of the varieties mentioned in the first indent of the second subparagraph of paragraph 2;
- the price increases or reductions applicable to intervention;
- the procedures and conditions for taking over by the intervention agencies;
- the procedures and conditions for disposal by the intervention agencies.

#### Article 6

The Council, acting by a qualified majority on a proposal from the Commission, shall determine the conditions in which intervention agencies may take special intervention measures to prevent, in certain areas of the Community, substantial buying in of paddy rice pursuant to Article 5 (1).

The nature and scope of such intervention measures shall be determined in accordance with the procedure laid down in Article 27.

#### Article 7

1. The target price and the intervention prices shall be subject to monthly increases, phased over the whole or part of the marketing year.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall before 1 May each year determine for the following marketing year the number and the amount of the monthly increases and their phasing over the marketing year.

*Article 8*

1. A carry-over payment may be granted in respect of stocks remaining at the end of the marketing year of paddy rice harvested in the Community and of husked rice obtained from that rice.

Before 1 July of each year, the Council, acting by a qualified majority on a proposal from the Commission, shall decide whether a carry-over payment should be granted in respect of the abovementioned products and, if so, to what extent.

2. The carry-over payment shall not exceed:

- (a) for husked rice, the difference between the target price valid for the last month of the marketing year and that valid for the first month of the next marketing year;
- (b) for paddy rice, the difference between the intervention price valid for the last month of the marketing year and that valid for the first month of the next marketing year.

3. The carry-over payment shall be granted only if stocks reach a minimum quantity.

4. The amount of the carry-over payment shall be fixed in accordance with the procedure referred to in paragraph 1.

5. Detailed rules for the application of this Article, in particular the minimum quantity qualifying for a carry-over payment and the categories of those entitled to it, shall be adopted in accordance with the procedure laid down in Article 27.

*Article 9*

1. A production refund may be granted for broken rice used in the manufacture of starch.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt rules for the application of this Article and fix the amount of the production refund.

## TITLE II

## Trade with third countries

*Article 10*

1. Imports into the Community or exports therefrom of any of the products listed in Article 1 shall be

subject to the submission of an import or export licence which may be issued by Member States to any applicant irrespective of the place of his establishment in the Community. Where the levy or refund is fixed in advance, the advance fixing shall be noted on the licence which serves as a supporting document for such advance fixing.

The import or export licence shall be valid throughout the Community. The issue of such licences shall be conditional on the provision of a security guaranteeing that importation or exportation is effected during the period of validity of the licence; the security shall be forfeited in whole or in part if the transaction is not effected, or is only partially effected, within that period.

2. The period of validity of licences and other detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27.

*Article 11*

1. A levy shall be charged on imports of rice, equal:

- (a) for round grain paddy rice, to the levy applicable to round grain husked rice, adjusted by the conversion rate;
- (b) for long grain paddy rice, to the levy applicable to long grain husked rice, adjusted by the conversion rate;
- (c) for round grain husked rice, to the threshold price less the cif price for round grain rice;
- (d) for long grain husked rice, to the threshold price less the cif price for long grain rice;
- (e) for round grain semi-milled rice, to the levy applicable to round grain wholly milled rice, adjusted by the conversion rate;
- (f) for long grain semi-milled rice, to the levy applicable to long grain wholly milled rice, adjusted by the conversion rate;
- (g) for round grain wholly milled rice, to the threshold price less the cif price for round grain rice;
- (h) for long grain wholly milled rice, to the threshold price less the cif price for long grain rice;
- (i) for broken rice, to the threshold price less the cif price.

2. The Commission shall fix the levies provided for in this Article.

*Article 12*

1. A levy shall be charged on the importation of products listed in Article 1 (1) (c), consisting of two components:

- (a) a variable component, which may be fixed and revised on a flat-rate basis and which corresponds to the incidence on the prime cost of such products of the levy on the basic product used in their manufacture;
- (b) a fixed component designed to protect the processing industry.

2. Where actual offers from third countries of products listed in Article 1 (1) (c) do not correspond to the price which results from the price of the basic product used in their manufacture, plus processing costs, an amount fixed in accordance with the procedure laid down in Article 27 may be added to the levy fixed in accordance with paragraph 1.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt rules for the application of this Article.

4. The Commission shall fix the levies specified in paragraph 1.

*Article 13*

1. The levy to be charged shall be that applicable on the day of importation.

2. However, as regards imports of rice and broken rice, the levy applicable on the day on which application for a licence is lodged, adjusted by reference to the threshold price which will be in force during the month of importation, shall be applied to an import to be effected during the period of validity of the licence, if the applicant so requests when applying for the licence. In this case, a premium, fixed at the same time as the levy, shall be added to the levy.

3. A decision may be taken in accordance with the procedure laid down in Article 27 to apply the provisions of paragraph 2, in whole or in part, to any of the products listed in Article 1 (1) (c).

4. The Council, acting by a qualified majority on a proposal from the Commission, shall lay down rules for the application of paragraph 2, in particular rules for fixing the scale of premiums, and adopt measures to be taken in exceptional circumstances.

5. Detailed rules for advance fixing shall be adopted in accordance with the procedure laid down in Article 27.

6. The scale of premiums shall be laid down by the Commission.

7. Where examination of the market situation shows that difficulties have arisen due to the application of the provisions concerning the advance fixing of the levy, or that such difficulties may arise, a decision may be taken, in accordance with the procedure laid down in Article 27, to suspend the application of those provisions for such period as is strictly necessary. In cases of extreme urgency, the Commission may, after examination of the situation on the basis of all the information available to it, decide to suspend advance fixing for a maximum of three working days.

Applications for licences accompanied by applications for advance fixing lodged during the period of suspension shall not be considered.

*Article 14*

1. There shall be fixed for the Community each year, before 1 May, for the following marketing year:

- a threshold price for round grain husked rice;
- a threshold price for long grain husked rice;
- a threshold price for round grain wholly milled rice;
- a threshold price for long grain wholly milled rice.

2. (a) The threshold price for round grain husked rice shall be fixed in such a way that on the Duisburg market the selling price for the imported product corresponds to the target price, after allowance for differences in quality. That threshold price shall be subject to the monthly increases determined for the target price in accordance with the provisions of Article 7.

It shall be calculated for Rotterdam for the same standard quality as the target price.

- (b) The threshold price for long grain husked rice shall be calculated by adjusting the threshold price for round grain husked rice by a corrective amount representing the difference in value between the variety of round grain rice corresponding to the standard quality and a variety of long grain rice representative of Community production.



3. The threshold prices for round grain wholly milled rice and for long grain wholly milled rice shall be derived from the threshold prices for round grain husked rice and long grain husked rice respectively by making adjustments by reference to the conversion rate, processing costs and the value of by-products and then by adding an amount for the protection of the industry.

They shall be calculated for Rotterdam for the same standard qualities as the respective threshold prices for husked rice.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall fix the threshold price for round grain husked rice and the protective amount mentioned in paragraph 3.

5. The following shall be determined in accordance with the procedure laid down in Article 27:

- (a) the variety of long grain rice representative of Community production and the difference in value, per metric ton of husked rice, between that variety and the variety of round grain rice corresponding to the standard quality;
- (b) the threshold price for long grain husked rice;
- (c) the threshold price for round grain wholly milled rice;
- (d) the threshold price for long grain wholly milled rice.

#### Article 15

1. A threshold price for broken rice shall be fixed for the Community, each year, before 1 May, for the following marketing year, at a level between 130 and 140% of the threshold price for maize applicable for the first month of the marketing year.

2. The threshold price for broken rice shall be fixed for Rotterdam and for a standard quality.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall fix the threshold price for broken rice and the standard quality for which it is fixed.

#### Article 16

1. There shall be calculated for Rotterdam:

- (a) a cif price for round grain husked rice;
- (b) a cif price for long grain husked rice;
- (c) a cif price for round grain wholly milled rice;

(d) a cif price for long grain wholly milled rice;

(e) a cif price for broken rice.

2. The cif prices shall be calculated for goods in bulk on the basis of the most favourable purchasing opportunities on the world market, taking into account, for each of the types of rice referred to in paragraph 1, the quotations or prices on that market adjusted by reference to any differences in quality compared with the standard quality, and for long grain rice, to any difference in value between that quality and the variety representative of Community production, and where appropriate, adjusted by reference to the conversion rate, processing costs and the value of by-products.

3. Differences in quality shall be expressed by means of corrective amounts representing the differences in quality and in value between the variety taken as the standard quality and other varieties.

4. Where free quotations on the world market are not a determining factor for the offer price and where that price is lower than world market prices, a special cif price calculated on the basis of the offer price shall be substituted, solely in respect of the imports in question, for the cif price.

5. Detailed rules for the application of this Article, in particular the corrective amounts, the method of calculating cif prices, and the margin within which variations in the factors used for calculating the levy do not entail any alteration of the levy, shall be adopted in accordance with the procedure laid down in Article 27.

#### Article 17

1. To the extent necessary to enable the products listed in Article 1 to be exported in the state referred to therein or in the form of goods listed in Annex B on the basis of quotations or prices for those products on the world market, the difference between those quotations or prices and prices in the Community may be covered by an export refund.

2. The refund shall be the same for the whole Community. It may be varied according to use or destination.

The refund shall be granted on application.

When the refund is being fixed, particular account shall be taken of the need to establish a balance between the use of Community basic products in

the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements.

Refunds shall be fixed at regular intervals in accordance with the procedure laid down in Article 27.

Where necessary the Commission may, at the request of a Member State or on its own initiative, modify the refunds in the intervening period.

3. The amount of the refund applicable to the export of products listed in Article 1 and of goods listed in Annex B shall be that applicable on the day of exportation.

4. However, as regards exports of products listed in Article 1 (1) (a) and (b), the refund applicable on the day on which application for a licence is lodged, adjusted by reference to the threshold price which will be in force during the month of exportation, shall be applied to an export to be effected during the period of validity of the licence, if the applicant so requests when applying for the licence.

A corrective amount may be fixed. It shall be applied to the refund where this is fixed in advance. The corrective amount shall be fixed at the same time as the refund and according to the same procedure; however, when necessary, the Commission, at the request of a Member State or on its own initiative, may modify the corrective amounts in the intervening period.

The provisions of the preceding subparagraphs may be applied in whole or in part to any of the products listed in Article 1 (1) (c) and to any products listed in Article 1 which are exported in the form of goods listed in Annex B.

5. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for granting export refunds and criteria for fixing the amount of such refunds.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27.

7. Where examination of the market situation shows that difficulties have arisen due to the application of the provisions concerning the advance fixing of the refund, or that such difficulties may arise, a decision may be taken in accordance with the procedure laid down in Article 27, to suspend the application of

those provisions for such period as is strictly necessary.

In cases of extreme urgency, the Commission may, after examination of the situation on the basis of all the information available to it, decide to suspend advance fixing for a maximum of three working days.

Applications for licences accompanied by applications for advance fixing lodged during the period of suspension shall not be considered.

#### *Article 18*

To the extent necessary for the proper working of the common organization of the market in rice, the Council, acting by a qualified majority on a proposal from the Commission, may prohibit in whole or in part the use of inward processing arrangements:

- in respect of products listed in Article 1 which are intended for the manufacture of products listed in Article 1 (1) (c), and
- in special cases, in respect of products listed in Article 1 which are intended for the manufacture of goods listed in Annex B.

#### *Article 19*

The procedure laid down in Article 27 shall apply for determining:

(a) the conversion rates between:

- husked rice and paddy rice, to be used when applying Articles 4 (3), 11 (1) (a), (b) and 16 (2);
- husked rice and wholly milled rice, to be used when applying Articles 14 (3) and 16 (2);
- wholly milled rice and semi-milled rice, to be used when applying Articles 11 (1) (e), (f) and 16 (2);

(b) the processing costs and the value of by-products, to be used when applying Articles 4 (3), 14 (3) and 16 (2).

*Article 20*

1. Without prejudice to the provisions of Regulation (EEC) No 2729/75 <sup>(1)</sup>, the general rules for the interpretation of the Common Customs Tariff and the special rules for its application shall apply to the tariff classification of products covered by this Regulation; the tariff nomenclature resulting from application of this Regulation, including the definitions listed in Annex A, shall be incorporated in the Common Customs Tariff.

2. Save as otherwise provided in this Regulation or where derogation therefrom is decided by the Council, acting by a qualified majority on a proposal from the Commission, the following shall be prohibited:

- the levying of any customs duty or charge having equivalent effect;
- the application of any quantitative restriction or measure having equivalent effect.

The restriction of import or export licences to a specified category of those entitled to receive them shall be considered to constitute a measure having effect equivalent to a quantitative restriction.

*Article 21*

1. Where the quotations or prices on the world market for one or more of the products listed in Article 1 (1) (a) and (b) reach the level of Community prices, and where that situation is likely to persist and to worsen, thereby disturbing or threatening to disturb the Community market, appropriate measures may be taken.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the application of this Article.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27.

*Article 22*

1. If by reason of imports or exports the Community market in one or more of the products listed in Article 1 experiences or is threatened with serious disturbances which may endanger the objectives set

out in Article 39 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt rules for the application of this paragraph and define the cases in which and the limits within which Member States may take interim protective measures.

2. If the situation mentioned in paragraph 1 arises, the Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures; the measures shall be communicated to the Member States and shall be immediately applicable. If the Commission receives a request from a Member State, it shall take a decision thereon within 24 hours following receipt of the request.

3. The measures decided upon by the Commission may be referred to the Council by any Member State within three working days following the day on which they were communicated. The Council shall meet without delay. It may amend or repeal the measures in question, acting by a qualified majority.

## TITLE III

## General provisions

*Article 23*

Goods listed in Article 1 which are manufactured or obtained from products not coming within the terms of Articles 9 (2) and 10 (1) of the Treaty shall not be admitted to free circulation within the Community.

*Article 24*

Save as otherwise provided in this Regulation, Articles 92 to 94 of the Treaty shall apply to the production of and trade in the products listed in Article 1.

*Article 25*

1. Rice and products processed from rice may be made available to food-aid programmes where such programmes are provided for in international conventions or agreements. The rice or products processed from rice to be made available to such

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 18.

programmes shall either be bought on the Community market or be obtained from stocks held by the intervention agencies.

2. The conditions under which products may be made available and, in particular, under which they may be bought on the Community market or obtained from the stocks of the intervention agencies, shall be determined by the Council, acting by a qualified majority on a proposal from the Commission.

3. In exceptional circumstances rice may be bought on the world market. Detailed rules for the application of this paragraph shall be adopted in accordance with the procedure laid down in Article 27.

#### *Article 26*

Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation. Rules for the communication and distribution of such information shall be adopted in accordance with the procedure laid down in Article 27.

#### *Article 27*

1. Where the procedure laid down in this Article is to be followed, the chairman shall refer the matter to the Management Committee for Cereals set up by Article 25 of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup> (hereinafter called 'the committee'), either on his own initiative or at the request of the representative of a Member State.

The provisions of Article 25 of the abovementioned Regulation regarding that committee shall apply in full.

2. The representative of the Commission shall submit a draft of the measures to be taken. The committee shall deliver its opinion on such measures within a time limit to be set by the chairman according to the urgency of the questions under consideration. An opinion shall be adopted by a majority of 41 votes.

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

Done at Luxembourg, 21 June 1976.

*For the Council*  
*The President*  
J. HAMILIUS

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall forthwith be communicated by the Commission to the Council. In that event, the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

#### *Article 28*

The committee may consider any other question referred to it by its chairman either on his own initiative or at the request of the representative of a Member State.

#### *Article 29*

This Regulation shall be so applied that appropriate account is taken, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty.

#### *Article 30*

1. Council Regulation No 359/67/EEC of 25 July 1967 on the common organization of the market in rice<sup>(2)</sup>, as last amended by Regulation (EEC) No 832/76<sup>(3)</sup>, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

References to the Articles of that Regulation shall be correlated with the Articles of this Regulation in accordance with the table set out in Annex C.

#### *Article 31*

This Regulation shall enter into force on 1 July 1976.

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

<sup>(2)</sup> OJ No L 174, 31. 7. 1967, p. 1.

<sup>(3)</sup> OJ No L 100, 14. 4. 1967, p. 1.

## ANNEX A

## Definitions

1. (a) Paddy rice: rice which has retained its husk after threshing.
    - (b) Husked rice: paddy rice from which only the husk has been removed. Examples of rice falling within this definition are those with the commercial descriptions 'brown rice', 'cargo rice', 'loonzain' and 'riso sbramato'.
    - (c) Semi-milled rice: paddy rice from which the husk, part of the germ and the whole or part of the outer layers of the pericarp but not the inner layers have been removed.
    - (d) Wholly milled rice: paddy rice from which the husk, the whole of the outer and inner layers of the pericarp, the whole of the germ in the case of long grain or semi-long grain rice, and at least part thereof in the case of round grain rice have been removed, but in which longitudinal white striations may remain on not more than 10% of the grains.
  2. (a) Round grain rice: rice, the grains of which are of a length not exceeding 5.2 mm and of a length/width ratio of less than two.
    - (b) Long grain rice: rice, the grains of which are of a length exceeding 5.2 mm.
    - (c) Measurement of the grains: grain measurements are taken on wholly milled rice by the following method:
      - (i) take a representative sample from the consignment;
      - (ii) sieve the sample so as to retain only whole grains;
      - (iii) carry out two measurements consisting of 100 grains each and find the average;
      - (iv) express the result in millimetres, rounded off to one decimal place.
  3. Broken rice: grain fragments the length of which does not exceed three quarters of the average length of the whole grain.
-

## ANNEX B

CCT heading No	Description of goods
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
21.07	Food preparations not elsewhere specified or included
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues
38.12 A I	Prepared glazings and prepared dressings with a basis of amylaceous substances

## ANNEX C

## Correlation table

Regulation No 359/67/EEC	This Regulation
Article 23a	Article 25
Article 25	Article 26
Article 26	Article 27
Article 27	Article 28

## COUNCIL REGULATION (EEC) No 1419/76

of 21 June 1976

fixing the target price for husked rice for the 1975/76 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, and in particular Article 2 (4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas, when the target price for rice is fixed, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the target price for rice must be fixed at a rate which takes account of the levels and intended trends of production, the use made of the product and the improvement of farm incomes;

Whereas application of these criteria entails fixing the target price at a level higher than that adopted for the preceding marketing year,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1975/76 marketing year, the target price for husked rice shall be 261.03 units of account per metric ton.

*Article 2*

1. Council Regulation (EEC) No 669/75 of 4 March 1975 fixing the target price for husked rice for the 1975/76 marketing year <sup>(3)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 3*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

<sup>(1)</sup> See page 1 of this Official Journal.

<sup>(2)</sup> OJ No C 53, 8. 3. 1976, p. 43.

<sup>(3)</sup> OJ No L 72, 20. 3. 1975, p. 19.

**COUNCIL REGULATION (EEC) No 1420/76  
of 21 June 1976**

**fixing intervention prices for paddy rice for the 1975/76 marketing year**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

*Article 1*

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, and in particular Article 4 <sup>(4)</sup> thereof,

For the 1975/76 marketing year, the Arles and Vercelli intervention prices for paddy rice shall be 154.87 units of account per metric ton.

Having regard to the proposal from the Commission,

*Article 2*

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas the Arles and Vercelli intervention prices for paddy rice must be derived from the target price for husked rice, fixed by Council Regulation (EEC) No 1419/76 of 21 June 1976 fixing the target price for husked rice for the 1975/76 marketing year <sup>(3)</sup>, in accordance with the criteria set out in Article 4 <sup>(3)</sup> of Regulation (EEC) No 1418/76;

1. Council Regulation (EEC) No 670/75 of 4 March 1975 fixing intervention prices for paddy rice for the 1975/76 marketing year <sup>(4)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

Whereas application of these criteria entails fixing the same intervention prices for Arles and Vercelli at a level higher than that adopted for the preceding marketing year,

*Article 3*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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<sup>(1)</sup> See page 1 of this Official Journal.

<sup>(2)</sup> OJ No C 53, 8. 3. 1976, p. 43.

<sup>(3)</sup> See page 13 of this Official Journal.

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<sup>(4)</sup> OJ No L 72, 20. 3. 1975, p. 20.



## COUNCIL REGULATION (EEC) No 1421/76

of 21 June 1976

fixing cereal and rice prices for the 1976/77 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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 1143/76<sup>(2)</sup>, and in particular Articles 3 (6) and 4 thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, and in particular Articles 2 (4) and 4 (4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(4)</sup>,

Whereas the markets and prices policy, based on modernized farms, is the main instrument of the incomes policy in agriculture; whereas full advantage cannot be drawn from such a policy unless it is integrated into the common agricultural policy as a whole, including a dynamic social and structural policy and the application of the rules on competition contained in the Treaty;

Whereas the common agricultural prices must be fixed by a method which takes account of objective criteria; whereas, when those prices are fixed, account should also be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the intervention prices and target prices for the principal cereals must be fixed in such a way as to promote a balance between the different sections of production on the basis of actual market requirements, while at the same time ensuring the improvement of farm incomes;

Whereas, in order to facilitate transition from the arrangements applied during the 1975/76 marketing year to those laid down in Article 3 of Regulation (EEC) No 2727/75, the principle of fixing the single intervention prices for common wheat, barley and maize at a common level may, under Article 4 of that Regulation, be waived for the 1976/77 marketing year;

Whereas, on the one hand, in order to guarantee the fluidity of the Community barley and maize markets, while at the same time avoiding excessive price increases, it seems advisable that, in a first stage, the intervention prices for these products should only be moved towards alignment, pending complete alignment, account being taken of the normal ratio between the average relative values of these two cereals for use in animal feed;

Whereas, on the other hand, in the case of common wheat, the intervention price should be fixed, as a transitional measure, at a level corresponding to the minimum breadmaking quality; whereas, in calculating this price, account should be taken in particular of the difference in return between the production of this common wheat of minimum breadmaking quality and that of common wheat of non-breadmaking quality, which difference can at present be assessed at 13%; whereas the third subparagraph of Article 4 (2) of Regulation (EEC) No 2727/75 provides that in this case no reference price need be fixed;

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 2727/75, if the derogation provided for in that Regulation is invoked, the common target price for barley and maize is fixed for the 1976/77 marketing year using the level of the single intervention price for barley as the level for the common

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

<sup>(2)</sup> OJ No L 130, 19. 5. 1976, p. 1.

<sup>(3)</sup> See page 1 of this Official Journal.

<sup>(4)</sup> OJ No C 53, 8. 3. 1976, p. 43.

single intervention price; whereas the third subparagraph of Article 4 (2) lays down that, in calculating the target price for common wheat, the intervention price for this cereal should be used instead of its reference price;

Whereas the target price for rice must be fixed at a rate which takes account of the levels and intended trends of production, the use made of the product and the improvement of farm incomes;

Whereas the Arles and Vercelli intervention prices for paddy rice should be derived from the target price for husked rice, in accordance with the criteria set out in Article 4 (3) of Regulation (EEC) No 1418/76;

Whereas application of these criteria entails fixing the same intervention prices for Arles and Vercelli at a level higher than that adopted for the preceding marketing year;

Whereas, in respect of the products referred to in this Regulation, the application of the criteria for the fixing of the different prices, and the application of the measures provided for in respect of the exchange rates to be applied in agriculture, entail the fixing of those prices at the levels shown in the Annexes,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1976/77 marketing year, the cereal and rice prices shall be those fixed in the Annexes.

*Article 2*

1. Council Regulation (EEC) No 1151/76 of 17 May 1976 fixing cereal and rice prices for the 1976/77 marketing year <sup>(1)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 3*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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<sup>(1)</sup> OJ No L 130, 19. 5. 1976, p. 17.

## ANNEX I

## CEREALS

	units of account per metric ton
<b>COMMON WHEAT</b>	
Single intervention price for common wheat of minimum bread-making quality:	
— in Denmark	126·72
— in Ireland	127·88
— in the United Kingdom	112·42
— in the other Member States	131·00
Target price	152·00
<b>RYE</b>	
Single intervention price	124·00
Target price	149·15
<b>BARLEY</b>	
Single intervention price:	
— in Denmark	112·41
— in Ireland	109·86
— in the United Kingdom	98·52
— in the other Member States	116·00
Target price	137·80
<b>MAIZE</b>	
Single intervention price	112·20
Target price	137·80
<b>DURUM WHEAT</b>	
Single intervention price	202·00
Target price	218·80

## ANNEX II

## RICE

	units of account per metric ton
(a) Target price for husked rice	284·52
(b) Intervention price for paddy rice (Arles and Vercelli)	164·16

## COUNCIL REGULATION (EEC) No 1422/76

of 21 June 1976

laying down rules for determining rice marketing centres other than Arles and Vercelli

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, and in particular Article 4 (5) thereof,

Having regard to the proposal from the Commission,

Whereas in accordance with Article 4 (3) of Regulation (EEC) No 1418/76 intervention prices for Arles and Vercelli are fixed so that the differences between them and between the intervention price and the target price reflect the disparities which, given a normal harvest, arise under normal conditions of price formation on the market and allow the free movement of rice within the Community in accordance with market requirements;

Whereas the marketing centres to be determined by the Commission must be situated only in surplus areas; whereas account should therefore be taken, in determining them, of the supply situation for rice within the Community and in particular of the fact that rice production is largely concentrated in two very limited areas;

Whereas, to ensure the proper working of the intervention system, the marketing centres must be in a position to stock large quantities of rice and to dispose of it under the best conditions; whereas centres which have an adequate infrastructure and are situated in an area which has sufficient transport facilities should be used,

*Article 1*

The main marketing centres in surplus areas to be determined pursuant to Article 4 (5) of Regulation (EEC) No 1418/76 must fulfil the following conditions:

- (a) existence of storage depots with enough technical equipment for a sufficiently large amount of paddy rice to be regularly taken over, treated for storage and delivered;
- (b) a favourable transport situation for the taking over and, above all, the disposal of the rice.

*Article 2*

The Council, acting on a report from the Commission, shall review annually the results of the application of Article 1.

*Article 3*

1. Council Regulation No 369/67/EEC of 25 July 1967 laying down rules for determining rice marketing centres other than Arles and Vercelli<sup>(2)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 4*

This Regulation shall enter into force on 1 July 1976.

<sup>(1)</sup> See page 1 of this Official Journal.

<sup>(2)</sup> OJ No 174, 31. 7. 1967, p. 38.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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## COUNCIL REGULATION (EEC) No 1423/76

of 21 June 1976

determining standard qualities for rice and broken rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, and in particular Articles 4 (5) and 15 (3) thereof,

Having regard to the proposal from the Commission,

Whereas the target price for husked rice, the intervention price for paddy rice, and the threshold price for broken rice must correspond to specific standard qualities;

Whereas the standard qualities for which those prices are fixed should correspond as far as possible, as regards husked rice and paddy rice, to the average quality of round grain rice harvested in the Community and, as regards broken rice, to the average quality of broken rice usually obtained in the Community industry from home-grown rice;

Whereas, to that end, the norms of the most representative variety produced in the Community should be adopted as the standard qualities of rice, and the quality of broken rice most frequently found in intra-Community trade should be adopted as the standard quality for that product,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard quality of husked rice for which the target price is fixed shall be as follows:

- (a) rice, free of odour, of a sound and fair marketable quality corresponding to the average quality of common round grain rice harvested

within the Community under normal conditions, of a type corresponding to the 'Balilla' variety;

- (b) moisture content: 15%;

- (c) total percentage of rice grains which are not of unimpaired quality: 7% by weight, of which:

— paddy grains: 1%,

— broken rice: 3%,

— green grains or grains showing natural malformation: 3%,

- (d) tolerance of extraneous matter, consisting of:

— mineral or vegetable inedible substances provided that they are not toxic: 0.01%;

— extraneous grains or parts thereof, edible: 0.10%;

- (e) yield of wholly milled rice, in whole grains (with a tolerance of 5% of clipped grains): 77.50% by weight, of which: a percentage by weight of wholly milled rice grains which are not of unimpaired quality:

— chalky grains: 3%,

— grains striated with red: 3%,

— spotted grains: 1%,

— stained grains: 0.50%,

— yellow grains: 0.05%,

— amber grains: 0.125%.

*Article 2*

The standard quality of paddy rice for which intervention prices are fixed shall be as follows:

- (a) rice, free of odour, of a sound and fair marketable quality corresponding to the average quality of common round grain rice harvested within the Community under normal conditions, of a type corresponding to the 'Balilla' variety;

<sup>(1)</sup> See page 1 of this Official Journal.

(b) moisture content: 14.50%;

(c) yield of wholly milled rice, in whole grains (with a tolerance of 5% of clipped grains): 63% by weight, of which: a percentage by weight of wholly milled rice grains which are not of unimpaired quality:

- chalky grains: 3%,
- grains striated with red: 3%,
- spotted grains: 1%,
- stained grains: 0.50%,
- yellow grains: 0.05%,
- amber grains: 0.125%.

#### Article 3

The standard quality of broken rice for which the threshold price is fixed shall be as follows:

(a) rice, free of odour, of a sound and fair marketable quality corresponding to the average quality of broken rice obtained from processing husked rice into wholly milled rice in the Community processing industry, of a type corresponding to the 'Messagrana' variety;

(b) moisture content: 15%;

(c) tolerance of extraneous matter consisting of:

- mineral and vegetable inedible substances, provided that they are not toxic: 0.01%,
- extraneous broken grains or parts thereof, edible: 0.10%.

#### Article 4

For the purposes of this Regulation, the definition of grains and broken grains which are not of unimpaired quality shall be as shown in the Annex.

#### Article 5

1. Council Regulation No 362/67/EEC of 25 July 1967 determining standard qualities for rice and broken rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1555/71 <sup>(2)</sup>, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to the present Regulation.

#### Article 6

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

<sup>(1)</sup> OJ No 174, 31. 7. 1967, p. 27.

<sup>(2)</sup> OJ No L 164, 22. 7. 1971, p. 11.

## ANNEX

## Definition of grains and broken grains which are not of unimpaired quality

- A. Whole grains:  
Grains from which only part of the end has been removed, irrespective of characteristics produced at each stage of milling.
- B. Clipped grains:  
Grains from which the entire end has been removed.
- C. Broken grains or broken rice:  
Grains from which a part of the volume greater than the end has been removed; broken grains include:
- large broken grains (pieces of grain of a length not less than half that of a grain, but not constituting a complete grain);
  - medium broken grains (pieces of grain of a length not less than a quarter of the length of a grain but which are smaller than the minimum size of 'large broken grains');
  - fine broken grains (pieces of grain less than a quarter of the size of a grain but too large to pass through a sieve with a mesh of 1.4 mm);
  - fragments (small pieces or particles of grain which can pass through a sieve with a mesh of 1.4 mm); split grains (pieces produced by a longitudinal split in the grain) come under this definition.
- D. Green grains:  
Grains which are not fully ripened.
- E. Grains showing natural malformation:  
Natural malformation means malformation, whether or not of hereditary origin, as compared with the morphological characteristics typical of the variety.
- F. Chalky grains:  
Grains at least three-quarters of the surface of which looks opaque and chalky.
- G. Grains striated with red:  
Grains showing longitudinal red striations of differing intensity and shades, due to residues from the pericarp.
- H. Spotted grains:  
Grains showing a well-defined small circle of dark colour of more or less regular shape: spotted grains also include those which show slight black striations on the surface only; the striations and spots must not show a yellow or dark aureole.
- I. Stained grains:  
Grains which have undergone, on a small area of their surface, an obvious change in their natural colour; the stains may be of different colours (blackish, reddish, brown); deep black striations are also to be regarded as stains. If the colour of the stains is sufficiently marked (black, pink, reddish-brown) to be immediately visible and if they cover an area not less than half that of the grain, the grains must be considered to be yellow grains.



**J. Yellow grains:**

Yellow grains are those which have undergone, totally or partially, otherwise than by drying, a change in their natural colour and have taken on a lemon or orange-yellow tone.

**K. Amber grains:**

Amber grains are those which have undergone, otherwise than by drying, a slight uniform change in colour over the whole surface; this change alters the colour of the grains to a light amber-yellow.

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COUNCIL REGULATION (EEC) No 1424/76  
of 21 June 1976

laying down general rules for intervention on the market in rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, and in particular Article 5 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the creation of a single market in rice necessitates the application of Community intervention measures; whereas Regulation (EEC) No 1418/76 lays down that under certain conditions the intervention agencies must buy in paddy rice which is offered to them;

Whereas the implementation of Community intervention measures requires takeover to be effected by intervention agencies under conditions which take account of the regionalization of prices; whereas to this end the price to be paid to the seller must be the intervention price valid at a given marketing centre less, where appropriate, transport costs;

Whereas; in order that the intervention system can function as simply and effectively as possible, the number of marketing centres in respect of which offers can be made from a given locality should be limited;

Whereas paddy rice held by the intervention agencies should be put on sale without discrimination between buyers established in the Community and at price levels which do not hinder the normal development of market prices in the Community; whereas the tendering procedure best serves that end,

*Article 1*

1. Pursuant to Article 5 of Regulation (EEC) No 1418/76, all offers for intervention shall be made to an intervention agency in respect of a marketing centre chosen from among the three centres nearest to the place where the paddy rice is when the offer is made.

2. The nearest marketing centres means the centres to which the paddy rice can be transported at the lowest cost. These transport costs shall be determined by the intervention agency.

*Article 2*

1. The intervention agencies shall decide on the place where the paddy rice is to be taken over.

2. If the intervention agency does not take over the paddy rice at the marketing centre specified by the seller but at the place where the paddy rice is located, the price to be paid shall be equal to the intervention price valid for the marketing centre indicated by the seller, less the most advantageous transport costs between the place where the paddy rice is when the offer is made and the marketing centre. These costs shall be determined by the intervention agency.

3. If the intervention agency takes over the paddy rice elsewhere than at the marketing centre indicated by the seller and elsewhere than at the place where the paddy rice is when the offer is made, the cost of transport from the place where the paddy rice is to the place where it is taken over shall be borne by the intervention agency. In that case the price to be paid to the seller shall be determined in accordance with paragraph 2.

*Article 3*

1. Paddy rice held by the intervention agency shall be disposed of by invitation to tender:

<sup>(1)</sup> See page 1 of this Official Journal.

(a) with a view to its being re-marketed, on the basis of price conditions which are determined before the beginning of the marketing year and are such as will not cause a deterioration of the market;

(b) with a view to export on the basis of price conditions to be determined case by case according to market trends and requirements.

2. The terms of the invitation to tender shall ensure equal access and equal treatment for all persons concerned irrespective of the place of their establishment in the Community.

3. If the tenders submitted do not reach the actual market value, the invitation to tender shall be cancelled.

#### *Article 4*

The Council, acting by a qualified majority on a proposal from the Commission, may establish selling procedures other than those laid down in Article 3, if special circumstances require.

#### *Article 5*

1. Council Regulation No 364/67/EEC of 25 July 1967 laying down general rules for intervention on the market in rice <sup>(1)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

#### *Article 6*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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<sup>(1)</sup> OJ No 174, 31. 7. 1967, p. 30.

**COUNCIL REGULATION (EEC) No 1425/76**  
**of 21 June 1976**  
**on special intervention measures for rice**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, and in particular the first subparagraph of Article 6 thereof,

Having regard to the proposal from the Commission,

Whereas the establishment of a single price system for rice entails replacing national systems of regionalized intervention prices, limited to the territory of each producer Member State by a uniform Community system; whereas changed patterns of trade between surplus and deficit areas in the Community should result therefrom;

Whereas it is not yet possible to make a final decision on adapting the market to the new regionalized prices for rice on a Community scale and to the disappearance of price zones which had been created by the barrier of intra-Community levies;

Whereas, moreover, harvests of all or several varieties of rice, which in certain regions of the Community differed substantially from the average for previous years, could in those regions temporarily bring about a change in market prices not found elsewhere in the Community;

Whereas in consequence intervention agencies might have to buy in large quantities in certain regions without this measure being required by the long-term trend of markets in the Community;

Whereas provision should therefore be made for preventive measures to enable trade to support the market in those regions for a given period;

Whereas, in view of the uniformity which should characterize the Community market in rice, such measures should be assessed and decided upon from a Community viewpoint,

HAS ADOPTED THIS REGULATION:

*Article 1*

If in any region of the Community market prices show a fall or a weakness which, in the case of rice or certain varieties of rice and in view of the size of the harvest or regional stocks and their geographical situation, could oblige the intervention agency to buy in large quantities, the Member State concerned may request the Commission to authorize the intervention agency, in accordance with the procedure provided for in Article 27 of Regulation (EEC) No 1418/76, to take special intervention measures on the paddy rice market in accordance with Article 6 of that Regulation. The decision of the Commission shall be taken within 12 working days following that on which the request was made.

The Member State shall state the reasons for its request and for the measures which it considers should be adopted and shall indicate the intended duration of their application.

*Article 2*

1. Council Regulation (EEC) No 446/68 of 9 April 1968 on special intervention measures for rice<sup>(2)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 3*

This Regulation shall enter into force on 1 July 1976.

<sup>(1)</sup> See page 1 of this Official Journal.

<sup>(2)</sup> OJ No L 91, 12. 4. 1968, p. 4.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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## COUNCIL REGULATION (EEC) No 1426/76

of 21 June 1976

fixing, for the 1975/76 marketing year, the monthly price increases for paddy rice and husked rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, and in particular Article 7 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, in fixing the number and the amount of the monthly increases and deciding on the first month in which the increases are to apply, both the costs of storing and financing rice in the Community and the need to ensure that the disposal of stocks of rice conforms to market requirements should be taken into account;

Whereas, to take account of these requirements, for the 1975/76 marketing year, the start of monthly increases should be fixed at 1 October, their number being 10, and these increases should be fixed for paddy rice at a level equal to the storage costs now prevalent in the rice-producing regions of the Community, the amount being expressed in round figures, and for husked rice at a level which takes account of the increases for paddy rice and the ratio between the two stages in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the 1975/76 marketing year, the amount of each of the monthly increases provided for in Articles 7 (1) and 14 (2) of Regulation (EEC) No 1418/76 shall be:

- 1.72 units of account per metric ton of paddy rice,
- 2.15 units of account per metric ton of husked rice.

2. These monthly increases shall apply from 1 October 1975 to 1 July 1976. The prices thus obtained for the month of July 1976 shall remain valid until 31 August 1976.

*Article 2*

1. Council Regulation (EEC) No 1893/75 of 22 July 1975 fixing, for the 1975/76 marketing year, the monthly price increases for paddy rice and husked rice<sup>(2)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 3*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

<sup>(1)</sup> See page 1 of this Official Journal.

<sup>(2)</sup> OJ No L 193, 25. 7. 1975, p. 4.

## COUNCIL REGULATION (EEC) No 1427/76

of 21 June 1976

fixing, for the 1976/77 marketing year, the monthly price increases for paddy rice and husked rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, and in particular Article 7 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, when the number and amount of the monthly increases and the first month during which these increases are to apply are fixed, account shall be taken of the costs of storing and financing rice in the Community and of the need to ensure that the disposal of stocks of rice conforms to market requirements;

Whereas the application of such criteria does not necessitate any change in the level of the monthly increases adopted for the 1975/76 marketing year; whereas, however, the agri-monetary measures adopted necessitate a slight modification of the amount of these monthly increases,

*Article 1*

1. For the 1976/77 marketing year, the amount of each of the monthly increases provided for in Articles 7 (1) and 14 (2) of Regulation (EEC) No 1418/76 shall be as follows:

- 1.74 units of account per metric ton of paddy rice;
- 2.18 units of account per metric ton of husked rice.

2. These monthly increases shall apply from 1 October 1976 to 1 July 1977. The prices thus obtained for the month of July 1977 shall remain valid until 31 August 1977.

*Article 2*

1. Council Regulation (EEC) No 1149/76 of 17 May 1976, fixing, for the 1976/77 marketing year, the monthly price increases for paddy rice and husked rice<sup>(2)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 3*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

<sup>(1)</sup> See page 1 of this Official Journal.

<sup>(2)</sup> OJ No L 130, 19. 5. 1976, p. 14.

## COUNCIL REGULATION (EEC) No 1428/76

of 21 June 1976

on rules for the advance fixing of levies on rice and broken rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, and in particular Article 13 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the common threshold price is the Community market's sole protection; whereas if imported goods were to enter this market at prices below the threshold price, the normal disposal of home-grown rice in accordance with the regionalization rules would be seriously threatened; whereas, where the levy is fixed in advance, the premium provided for in Article 13 (2) of Regulation (EEC) No 1418/76 must therefore be fixed in such a way that products imported under this procedure enter the Community market under conditions which cannot disturb its balance;

Whereas, to this end, it is necessary that this premium should cover the difference between the cif price and the cif forward delivery price, where the latter is lower than the former, determined on the basis of offers reflecting the real trend on the future market;

Whereas there are exceptional cases in which special circumstances cause considerable price fluctuations on the market in rice; whereas in order to prevent such fluctuations from adversely affecting the Community market in rice, provision should be made in such a case for fixing the premium at a higher level than that resulting from application of the usual rule so as to cover the difference between the cif price and the cif forward delivery price, or for suspending temporarily the advance fixing of the levy or for

reducing the period for which it is possible to obtain advance fixing of the levy;

Whereas the levies on paddy rice and semi-milled rice are not calculated by comparing a threshold price and cif price for these products but are derived from the levies on husked rice and wholly milled rice, respectively, adjusted by a conversion rate;

Whereas, therefore, the adjustment, by reference to the threshold prices, of a levy fixed in advance for paddy rice or semi-milled rice is appropriate only if the conversion rates used for the calculation of the levy itself are applied; whereas rules for the advance fixing of levies should therefore be laid down;

Whereas it is desirable, by means of the premium system, to induce the importer to respect the period indicated by him when applying for the advance fixing of a levy in accordance with Article 13 (2) of Regulation (EEC) No 1418/76 although allowance should be made for the fact that the conditions of purchase customary in the international rice trade and uncertainty about delivery time will often prevent the import from being effected during the month indicated on the import licence,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The amount of the premiums provided for in Article 13 (2) of Regulation (EEC) No 1418/76 shall be fixed in accordance with the criteria laid down in this Regulation.
2. A premium shall be fixed for the current month and a premium shall be fixed for each subsequent month until the licence expires.

The amount of the premiums, expressed in units of account per metric ton, shall be the same for the whole Community.

<sup>(1)</sup> See page 1 of this Official Journal.



*Article 2*

Where the cif price for husked rice, for wholly milled rice or for broken rice is higher than the cif forward delivery price for the same product, the amount of the premium shall, subject to the provisions of the following Articles, be equal:

- (a) for husked rice, wholly milled rice and broken rice, to the difference between those prices;
- (b) for paddy rice, to the premium applicable to husked rice, adjusted by reference to the conversion rate determined in accordance with Article 19 of Regulation (EEC) No 1418/76;
- (c) for semi-milled rice, to the premium applicable to wholly milled rice, adjusted by reference to the conversion rate determined in accordance with Article 19 of Regulation (EEC) No 1418/76.

*Article 3*

1. The cif price for each product shall be that determined, in accordance with Article 16 of Regulation (EEC) No 1418/76 on the day the scale of premiums is fixed.

2. The cif forward delivery price for each product shall be the cif price determined in accordance with Article 16 of Regulation (EEC) No 1418/76, but calculated on the basis of offers at North Sea ports, as follows:

- (a) in the case of imports to be effected during the month in which the licence was issued, that price shall be the cif forward delivery price ruling for shipment during that month;
- (b) in the case of imports to be effected during the month following the month in which the licence was issued, that price shall be the cif forward delivery price ruling for shipment during the intended month of importation;
- (c) in the case of imports to be effected during the remaining months of the period of validity of the licence, that price shall be the cif forward delivery price ruling for shipment during the month preceding the intended month of importation;
- (d) if there are no forward offers for shipment during a given month, that price shall be the cif forward delivery price ruling for shipment during the last month for which a forward offer was made.

*Article 4*

If the cif forward delivery price is equal to the cif price or lower by an amount not exceeding 0.25 unit

of account per metric ton, the premium shall be zero units of account.

*Article 5*

The amount of premium in force for a particular product and period shall be adjusted where application of the rules laid down in the preceding Articles entails a change in the amount of more than 0.25 unit of account per metric ton.

*Article 6*

1. If, in view of prospective imports, serious difficulties threaten the Community market in the product in question, the amount of the premium may temporarily be fixed, except for the month during which the licence was issued, at a level higher than the level resulting from the preceding Articles.

2. The amount of the premium may not exceed the amount resulting from the preceding Articles by more than:

- (a) 0.50 unit of account per metric ton for the first month following that in which the licence was issued;
- (b) 0.75 unit of account per metric ton for the second month;
- (c) 1.25 units of account per metric ton for the third month.

The amount laid down in (c) shall be increased by 0.25 unit of account per metric ton for each subsequent month.

*Article 7*

1. In exceptional cases where special circumstances cause considerable price fluctuations on the market in rice which could not be foreseen in the light of supply and demand on the world market, the premium may be fixed at a level higher than that resulting from the preceding Articles.

2. The premium shall not be increased by more than the difference, for each product, between the cif price and the last cif price before prices began to be affected by the special circumstances mentioned in paragraph 1.

*Article 8*

In the cases mentioned in Article 7, the advance fixing of the levy in accordance with Article 13 (2) of Regulation (EEC) No 1418/76 may be suspended, or the period for which it is possible to obtain advance fixing of the levy may be reduced, in accordance with the procedure laid down in Article 27 of that Regulation.

*Article 9*

Rules regarding the scale of premiums to be applied in exceptional cases may be adopted, as necessary, in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76.

*Article 10*

1. Where an import levy on paddy rice or semi-milled rice is fixed in advance, the adjustment provided for in Article 13 (2) of Regulation (EEC) No 1418/76 shall be made on the basis of conversion rates determined pursuant to Article 19 (a) of that Regulation.

2. Detailed rules for the application of paragraph 1 shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76.

*Article 11*

1. Council Regulation No 365/67/EEC of 25 July 1967 on rules for the advance fixing of levies on rice and broken rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 2435/70 <sup>(2)</sup>, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

References to the Articles of that Regulation shall be correlated with the Articles of this Regulation in accordance with the table set out in the Annex.

*Article 12*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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 ANNEX

## Correlation table

Regulation No 365/67/EEC	This Regulation
Article 9a	Article 10

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<sup>(1)</sup> OJ No 174, 31. 7. 1967, p. 32.

<sup>(2)</sup> OJ No L 262, 3. 12. 1970, p. 3.

## COUNCIL REGULATION (EEC) No 1429/76

of 21 June 1976

determining for the 1975/76 marketing year the threshold prices for husked rice and broken rice and the protective amount to be included in the threshold price for wholly milled rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

*Article 1*

This Regulation shall apply during the 1975/76 rice marketing year.

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, and in particular Articles 14 (4) and 15 (3) thereof,

*Article 2*

The threshold price for round grain husked rice shall be 257.2 units of account per metric ton.

Having regard to the proposal from the Commission,

*Article 3*

The threshold price for broken rice shall be 160.45 units of account per metric ton.

Whereas Article 14 (2) of Regulation (EEC) No 1418/76 provides that the threshold price for husked rice must be fixed in such a way that the selling price of imported husked rice on the Duisburg market corresponds to the target price; whereas this object can be attained by deducting from the target price certain standard costs, in particular transshipment costs and transport costs between Rotterdam and Duisburg, which are usually incurred when the products are imported;

*Article 4*

The amount to be included in the threshold price for wholly milled rice for the protection of the industry shall be 11.5 units of account per metric ton.

Whereas Article 15 (1) of Regulation (EEC) No 1418/76 provides that the threshold price for broken rice must be fixed between a lower and an upper limit calculated in relation to the threshold price for maize; whereas, in view of that relationship and of the need to import broken rice in order to ensure supplies for the Community, that threshold price should be fixed at a level corresponding in round figures to the lower limit;

*Article 5*

1. Council Regulation (EEC) No 1892/75 of 22 July 1975 determining for the 1975/76 marketing year the threshold prices for husked rice and broken rice and the protective amount to be included in the threshold price for wholly milled rice <sup>(2)</sup> is hereby repealed.

Whereas Article 14 (3) of Regulation (EEC) No 1418/76 provides that the threshold prices for wholly milled rice are to be derived from the threshold prices for husked rice to which an amount for the protection of the industry is to be added; whereas, in view of the situation of the Community rice industry, this amount should be increased for the 1975/76 marketing year,

2. Reference to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 6*

This Regulation shall enter into force on 1 July 1976.

<sup>(1)</sup> See page 1 of this Official Journal.

<sup>(2)</sup> OJ No L 193, 25. 7. 1975, p. 3.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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## COUNCIL REGULATION (EEC) No 1430/76

of 21 June 1976

fixing, for the 1976/77 marketing year, the protective amount to be included in the threshold price for wholly milled rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, and in particular Article 14 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Article 14 (3) of Regulation (EEC) No 1418/76 provides that the threshold prices for wholly milled rice are to be derived from the threshold prices for husked rice to which an amount for the protection of the industry is to be added; whereas, in view of the situation of the Community rice industry, it appears appropriate to maintain during the 1976/77 marketing year the protective amount adopted for the 1975/76 marketing year,

*Article 1*

For the 1976/77 marketing year, the amount to be included in the threshold price for wholly milled rice for the protection of the industry shall be 11.50 units of account per metric ton.

*Article 2*

1. Council Regulation (EEC) No 1148/76 of 17 May 1976 fixing, for the 1976/77 marketing year, the protective amount to be included in the threshold price for wholly milled rice <sup>(2)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 3*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

<sup>(1)</sup> See page 1 of this Official Journal.

<sup>(2)</sup> OJ No L 130, 19. 5. 1976, p. 13.

## COUNCIL REGULATION (EEC) No 1431/76

of 21 June 1976

laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, and in particular Article 17 (5) thereof,

Having regard to the proposal from the Commission,

Whereas export refunds on products subject to the common organization of the market in rice must be fixed in accordance with certain criteria which would make it possible to cover the difference between quotations and prices for those products within the Community and on the world market, while respecting the general aims of the common organization; whereas to this end the supply situation within the Community and the price situation on the world market and within the Community for rice and broken rice must be taken into account;

Whereas, in view of the considerable fluctuations over periods of time in quotations for rice and broken rice on the world market and the disparity between the prices at which these products are offered by various countries on that market, a refund should be fixed which, for the purpose of covering the difference between world prices and prices ruling within the Community, particularly in view of costs incurred in placing these products on the market, would take the difference between representative prices within the Community and the most favourable quotations on the world market into account;

Whereas, pursuant to Article 17 (2) of Regulation (EEC) No 1418/76 the refund is to vary according to the destination of the products, the amount of such variations should be determined on the basis of the distances separating the Community market from the countries of destination or on the basis of the special conditions which apply to imports in certain of these countries;

Whereas, to avoid distortions of competition between Community traders, the administrative conditions under which they operate must be identical throughout the Community;

Whereas, to ensure Community traders sufficient stability in the amount of the refund, the period for which the amounts may remain unchanged should be fixed at one month, subject to any alterations which may be made in the intervening period pursuant to the second sentence of the fourth subparagraph of Article 17 (2) of Regulation (EEC) No 1418/76;

Whereas, in certain situations, and in particular in periods of uncertainty or of considerable price fluctuations on the world market, exports should be regulated by means of a quantitative limitation on refunds; whereas fixing the refund by a tendering procedure seems to be a suitable means of attaining that objective; whereas the adjustment, by reference to threshold prices, of a refund fixed in advance for paddy rice or semi-milled rice may be made only by applying the rates used to convert values relating to a quantity of husked or wholly milled rice into a value relating to the same quantity of rice at another stage of processing; whereas the general rules on the granting of refunds should consequently be set out in detail, in order to prevent wrongful application of Article 17 (4) of Regulation (EEC) No 1418/76 involving the omission of those conversion rates;

Whereas there does not appear to be any justification for granting a refund on paddy rice or husked rice imported from third countries and re-exported to third countries unless certain conditions are fulfilled,

HAS ADOPTED THIS REGULATION:

*Article 1*

This Regulation lays down rules for fixing and granting export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76.

<sup>(1)</sup> See page 1 of this Official Journal.

*Article 2*

The following shall be taken into account when refunds are being fixed:

- (a) the existing situation and future trends with regard to:
  - prices and availabilities of rice and broken rice on the Community market,
  - prices for rice and for broken rice on the world market;
- (b) the aims of the common organization of the market in rice, which are to ensure equilibrium and the natural development of prices and trade on this market;
- (c) the need to avoid disturbances on the Community market; and
- (d) the economic aspect of the proposed exports.

*Article 3*

Refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76, with the exception of those listed in Article 1 (c) of that Regulation, shall be fixed in accordance with the following specific criteria:

- (a) prices for those products ruling on the various representative export markets of the Community;
- (b) the most favourable quotations recorded on the various markets of importing third countries; and
- (c) marketing costs and the most favourable transport charges from the Community markets referred to in (a) to ports or other points of export in the Community serving these markets, as well as costs incurred in placing the goods on the world market.

*Article 4*

1. The refund on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 may be fixed, where appropriate, by a tendering procedure. Such tendering procedure shall relate to the amount of the refund.

2. Detailed rules for the application of paragraph 1 shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76.

*Article 5*

1. The refund may be increased by a compensatory amount in respect of stocks of paddy rice harvested within the Community and of husked rice obtained therefrom, in hand at the end of a marketing year and forming part of that year's crop, which are exported in the natural state or in the form of wholly milled rice or semi-milled rice between the beginning of the following marketing year and dates still to be determined.

Before 1 July of each year the Council, acting by a qualified majority on a proposal from the Commission, shall, if necessary, determine the products to which the provisions of the preceding subparagraph shall apply.

2. The compensatory amount shall be:

- in the case of husked rice, equal to the difference between the target price valid for the last month of the marketing year and that valid for the first month of the new marketing year,
- in the case of paddy rice, equal to that difference adjusted by the conversion rate.

This amount shall however be reduced by the amount of any carry-over payment already granted, pursuant to Article 8 of Regulation (EEC) No 1418/76.

3. The compensatory amount shall be granted only if stocks reach a minimum level.

*Article 6*

Where the world market situation or the specific requirements of certain markets make this necessary, the refund on the products referred to in Article 3 may be varied according to use or destination.

*Article 7*

If the export refund on paddy rice or semi-milled rice is fixed in advance, the adjustment by reference to the threshold price which will be in force at the time of exportation, as provided for in Article 17 (4) of Regulation (EEC) No 1418/76, shall be made taking into account the conversion rates determined pursuant to Article 19 (a) of that Regulation.

*Article 8*

1. The refund on the products referred to in Article 3 shall be paid upon proof:

- that the products have been exported from the Community, and
- that the products, in the case of paddy rice and husked rice, are of Community origin, except where Article 10 applies.

2. Where Article 6 applies, the refund shall be paid under the conditions laid down in paragraph 1, provided it is proved that the product has reached the destination for which the refund was fixed.

Exception may be made to this rule in accordance with the procedure referred to in paragraph 3, provided that conditions are laid down which offer equivalent guarantees.

3. Additional provisions may be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76.

#### Article 9

The refunds on the products referred to in Article 3 shall be fixed at least once a month.

#### Article 10

No export refund shall be granted on paddy rice and husked rice which is imported from third countries and re-exported to third countries, unless the exporter proves:

- that the product to be exported and the product previously imported are one and the same, and
- that the levy was collected on importation.

In such cases, the refund on each product shall be equal to the levy collected on importation where this levy is lower than the refund applicable on the day of exportation; the refund shall be equal to the refund applicable on the day of exportation where the levy collected on importation is higher than this refund.

#### Article 11

1. Council Regulation No 366/67/EEC of 25 July 1967 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds<sup>(1)</sup>, as last amended by Regulation (EEC) No 478/75<sup>(2)</sup>, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

References to the Articles of that Regulation shall be correlated with the Articles of this Regulation in accordance with the table set out in the Annex.

#### Article 12

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

#### ANNEX

##### Correlation table

Regulation No 366/67/EEC	This Regulation
Article 3	Article 4
Article 4	Article 5
Article 5	Article 6
Article 5a	Article 7
Article 6	Article 8
Article 7	Article 9
Article 8	Article 10

<sup>(1)</sup> OJ No 174, 31. 7. 1967, p. 34.

<sup>(2)</sup> OJ No L 52, 28. 2. 1975, p. 34.



**COUNCIL REGULATION (EEC) No 1432/76**

of 21 June 1976

**laying down general rules to be applied in the event of the market in rice being disturbed**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, and in particular Article 21 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 21 of Regulation (EEC) No 1418/76 provides that the necessary measures may be taken when quotations or prices on the world market for one or more of the products listed in Article 1 (1) (a) and (b) of that Regulation reach the level of Community prices; whereas, in order to prevent such a situation from persisting and worsening, and the Community market from being thereby disturbed or threatened with disturbance, the circumstances in which that situation could arise should be specified and general rules for the application of the provisions referred to above should be laid down;

Whereas it is necessary to ensure an adequate supply of rice; whereas, to that end, levies could be charged on exports and the issue of export licences totally or partially suspended;

Whereas it is also necessary to establish criteria for calculating the export levy in the light of the economic situation; whereas, consequently, in order to pursue an export policy which will be adequate in this situation and which will meet market requirements, it is necessary that the levy should be subject solely to the criteria governing export arrangements;

Whereas Community obligations to supply food aid are such that exports of products for that purpose should be excluded from this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the purposes of Article 21 of Regulation (EEC) No 1418/76, quotations or prices on the world market shall be regarded as having reached the level of Community prices when they approach or exceed the threshold price.

2. The situation referred to in paragraph 1 shall be regarded as likely to persist and worsen where there is an imbalance between supply and demand and where that imbalance is likely to continue in view of foreseeable production and market price trends.

3. The Community market shall be regarded as being disturbed or threatened with disturbance, as a result of the situation referred to in paragraphs 1 and 2, where international trade prices are so high as to impede importation of products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 into the Community, so as to jeopardize the stability of the market or the security of supplies.

*Article 2*

1. Where the conditions specified in Article 21 of Regulation (EEC) No 1418/76 are met, in accordance with the criteria laid down in Article 1, the following measures may be taken:

— application of an export levy; in addition, a special export levy may be determined by a tendering procedure in respect of a fixed quantity;

<sup>1)</sup> See page 1 of this Official Journal.

- fixing of a time limit for the issue of export licences;
- total or partial suspension of the issue of export licences;
- total or partial rejection of outstanding applications for the issue of export licences.

2. The measures provided for in paragraph 1 may be taken in respect of one or more of the products listed in Article 1 of Regulation (EEC) No 1418/76, where this is made necessary by the market situation and the relationship between those products.

3. The measures referred to in paragraph 1 shall be repealed at the latest when it is found that, for a period of three consecutive weeks, the condition stated in Article 1 (1) is no longer fulfilled.

#### Article 3

1. The following shall be taken into account when an export levy is being fixed for products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76:

- (a) the existing situation and future trends with regard to:
  - prices and availabilities of rice on the Community market;
  - prices for rice and for products processed from rice on the world market;
- (b) the aims of the common organization of the market in rice, which are to balance that market both as regards supplies and as regards trade;
- (c) the need to avoid disturbances on the Community market;
- (d) the economic aspect of the exports.

2. The factors referred to in paragraph 1 shall apply when an export levy is being fixed for the products listed in Article 1 (1) (c) of Regulation (EEC) No 1418/76. In addition, the following specific factors shall be taken into account:

- (a) prices paid for broken rice on the various Community markets;
- (b) amount of broken rice required to manufacture the products in question and, where appropriate, the value of by-products;

(c) outlets and terms for the sale of those products on the world market.

3. Where the situation on the world market, or the specific requirements of certain markets so require, the export levy may be varied.

4. The export levy to be charged shall be that applicable on the day of exportation.

However, the export levy applicable on the day on which application for a licence is lodged shall be applied to an export to be effected during the period of validity of the licence, if the applicant so requests when applying for the licence.

5. No levy shall be applied to exports effected by way of food aid under Article 25 of Regulation (EEC) No 1418/76.

#### Article 4

1. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76.

2. Following the same procedure and for each product:

- the decision to introduce the measures provided for in Article 2 and to discontinue the measures provided for in the second and third indents of Article 2 (1) shall be taken;
- the export levy shall be fixed at regular intervals.

3. If necessary, the Commission may introduce or modify the export levy.

#### Article 5

In urgent cases the Commission may take the measures referred to in the third and fourth indents of Article 2 (1). It shall notify its Decision to the Member States and shall publish it on the notice boards at its headquarters.

The measures shall, by virtue of such a decision, be applied to the relevant products from the date specified to that end; that day shall be subsequent to the date of notification.

The Decision on the measures referred to in the third indent of Article 2 (1) shall be applicable for a period not exceeding seven days.

*Article 6*

1. Council Regulation (EEC) No 2737/73 of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed <sup>(1)</sup>, as amended by Regulation (EEC) No 477/75 <sup>(2)</sup>, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 7*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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<sup>(1)</sup> OJ No L 282, 9. 10. 1973, p. 13.

<sup>(2)</sup> OJ No L 52, 28. 2. 1975, p. 33.

## COUNCIL REGULATION (EEC) No 1433/76

of 21 June 1976

laying down conditions for applying protective measures in the market in rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, and in particular Article 22 (1) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(2)</sup>,

Whereas Article 22 (1) of Regulation (EEC) No 1418/76 makes provision for the application of appropriate measures if, by reason of imports or exports, the Community market in one or more of the products listed in Article 1 thereof experiences or is threatened with serious disturbances which may endanger the objectives set out in Article 39 of the Treaty; whereas these measures relate to trade with third countries; whereas they will no longer apply when the disturbance or threat of disturbance has ceased;

Whereas it is for the Council to adopt detailed rules for the application of Article 22 (1) of that Regulation and define the cases in which and the limits within which Member States may take interim protective measures;

Whereas, therefore, the main factors to be used in assessing whether the Community market is seriously disturbed or threatened with disturbance should be determined;

Whereas, since recourse to protective measures depends on the effect of trade with third countries on the Community market, the situation on this market must be assessed by taking account not only

of the factors peculiar to the market itself but also of the factors connected with the development of that trade;

Whereas the measures which may be taken in application of Article 22 of Regulation (EEC) No 1418/76 should be laid down; whereas those measures must be such as to put an end to serious disturbances on the market and the threat of such disturbances; whereas they must be suited to the circumstances if they are not to have other than the desired effects;

Whereas the organization of the market in rice includes a system of licences and a system of fixing levies and refunds in advance; whereas in view of the existence of these systems rules should be laid down whereby interim protective measures at Community level can be decided upon after a summary examination of the situation;

Whereas recourse by a Member State to Article 22 of Regulation (EEC) No 1418/76 should be limited to a case in which the market of that State, following an assessment based on the abovementioned factors, is regarded as fulfilling the conditions of that Article; whereas the measures which may be taken in that case should be designed to prevent the market situation from deteriorating further; whereas, however, they must be of an interim nature; whereas this interim nature of national measures justifies their application only until the entry into force of a Community decision on the subject;

Whereas the Commission is required to take a decision on Community protective measures to be applied in response to a request from a Member State within 24 hours following receipt of the request; whereas, in order that the Commission may assess the situation on the market with the greatest effectiveness, provision should be made to ensure that it is informed as quickly as possible of any interim protective measures applied by a Member State; whereas, therefore, provision should be made for the Commission to be notified of any such

<sup>(1)</sup> See page 1 of this Official Journal.

<sup>(2)</sup> OJ No C 53, 8. 3. 1976, p. 43.

measures as soon as they have been adopted and for such notification to be treated as a request within the meaning of Article 22 (2) of Regulation (EEC) No 1418/76,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

In order to assess whether the Community market in one or more of the products listed in Article 1 (1) of Regulation (EEC) No 1418/76, is, by reason of imports or exports, experiencing or threatened with serious disturbances which may endanger the objectives set out in Article 39 of the Treaty, particular account shall be taken of:

- (a) the quantities of products for which import or export licences have been issued or applied for;
- (b) the quantities of products available on the Community market;
- (c) the prices recorded on the Community market or the foreseeable trend of these prices and in particular any excessive upward trend thereof or, in the case of products for which no intervention price has been fixed, any excessive downward trend thereof;
- (d) the quantities of products for which intervention measures have been taken or may need to be taken if the abovementioned situation arises as a result of imports.

#### *Article 2*

1. The measures which may be taken under Article 22 (2) and (3) of Regulation (EEC) No 1418/76, should the situation mentioned in Article 22 (1) arise, shall be:

- (a) the total or partial suspension of the advance fixing of levies or refunds, including the refusal of fresh applications;
- (b) the total or partial suspension of the issue of import or export licences, including the refusal of fresh applications;
- (c) the total or partial rejection of outstanding applications for the advance fixing of levies or refunds and for the issue of licences.

2. These measures may only be taken to such extent and for such length of time as is strictly necessary. They may not extend to products other than those imported from or intended for third countries. They may be restricted to products imported from or originating in particular countries, to exports to particular countries or to particular qualities or types of presentation. They may be restricted to imports intended for particular regions of the Community or to exports from such regions.

3. The rejection of applications mentioned in paragraph 1 shall apply to those submitted during the periods in which the suspensions mentioned in Article 3 or 4 have been in force.

However, if as a result of unexpected circumstances there is or is likely to be a variation in prices such that it is clear that the levy or refund no longer fulfils its purpose, the rejection may relate to applications submitted from the time when such circumstances become apparent.

#### *Article 3*

After a summary examination of the situation based on the factors set out in Article 1, the Commission may establish by Decision that the conditions for applying Article 22 (2) of Regulation (EEC) No 1418/76 are fulfilled. The Commission shall notify Member States of its Decision and shall publish it on a notice board at its headquarters.

The consequence of that Decision for the products in question shall be the temporary suspension of the advance fixing of levies or refunds and of the issue of licences from the time fixed for the purpose, that time being subsequent to the notification.

The Decision shall apply for not more than 48 hours, without prejudice to the provisions of the second sentence of Article 22 (2) of Regulation (EEC) No 1418/76.

#### *Article 4*

1. A Member State may take one or more interim protective measures if, after an assessment based on the factors set out in Article 1, it considers that the situation foreseen in Article 22 (1) of Regulation (EEC) No 1418/76 has arisen on its own territory.

Interim protective measures may comprise:

- (a) the total or partial suspension of the advance fixing of levies or refunds;

(b) the total or partial suspension of the issue of import or export licences.

The provisions of Article 2 (2) shall apply.

2. The Commission shall be notified by telex of the interim protective measures as soon as they have been decided on. Such notification shall be treated as a request within the meaning of Article 22 (2) of Regulation (EEC) No 1418/76. These measures shall apply only until the Decision taken by the Commission on this matter enters into force.

#### *Article 5*

1. Council Regulation (EEC) No 2592/69 of 18 December 1969 laying down conditions for applying protective measures in the market in rice <sup>(1)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

#### *Article 6*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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<sup>(1)</sup> OJ No L 324, 27. 12. 1969, p. 3.

**COUNCIL REGULATION (EEC) No 1434/76**  
**of 21 June 1976**  
**concerning imports of rice from the Arab Republic of Egypt**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Whereas Article 9 of Annex I to the Agreement between the European Economic Community and the Arab Republic of Egypt (hereinafter called 'the Agreement') provides that, subject to the condition that the Arab Republic of Egypt shall apply a special export charge on rice falling within heading No 10.06 of the Common Customs Tariff, the import levy shall be reduced by 25% of the average level of levies applicable during a reference period, subject to a fixed annual limit; whereas Article 2 (2) of the Protocol laying down certain provisions relating to the Agreement between the European Economic Community and the Arab Republic of Egypt following the accession of new Member States to the European Economic Community raises that limit to 32 000 metric tons;

Whereas by Article 9 (2) of Annex I to the Agreement such special charge is to be reflected in the import price of the rice; whereas, in order to ensure that these arrangements are correctly applied, measures should be adopted whereby the importer is required, at the time when the rice is imported, to furnish proof that the special export charge has been levied by the Arab Republic of Egypt;

Whereas, pursuant *inter alia* to the exchange of letters annexed to the Agreement aforesaid, these arrangements require rules for their implementation,

*Article 1*

The levy on imports into the Community of rice, falling within heading No 10.06 of the Common Customs Tariff originating in and coming from the Arab Republic of Egypt, shall be the levy calculated in accordance with Article 11 of Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(2)</sup>, less an amount, to be fixed by the Commission each quarter, equal to 25% of the average of the levies applied during the reference period referred to in Article 4.

*Article 2*

Article 1 shall apply to all imports in respect of which the importer can furnish proof that the special export charge has been levied by the said Arab Republic of Egypt in accordance with Article 9 (2) of the Agreement.

*Article 3*

Where in any year the Commission finds that imports effected under the foregoing provisions during that year have reached a total of 32 000 metric tons, it shall suspend application of Article 1 for the remainder of the year in question.

*Article 4*

Rules for the application of this Regulation, in particular as regards the period by reference to which the amount is to be fixed by which the levy is to be reduced, shall be adopted under the procedure

<sup>(1)</sup> OJ No C 53, 8. 3. 1976, p. 43.

<sup>(2)</sup> See page 1 of this Official Journal.

laid down in Article 27 of Regulation (EEC) No 1418/76.

*Article 5*

1. Council Regulation (EEC) No 2412/73 of 24 July 1973 concerning imports of rice from the Arab Republic of Egypt <sup>(1)</sup> is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 6*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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<sup>(1)</sup> OJ No L 251, 7. 9. 1973, p. 103.



## COUNCIL REGULATION (EEC) No 1435/76

of 21 June 1976

laying down general rules for the system of accession compensatory amounts for rice and fixing these amounts for certain products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty of Accession<sup>(1)</sup>, and in particular Articles 55 (6) and 62 (1) of the Act annexed thereto,

Having regard to the proposal from the Commission,

Whereas under Article 80 of the Act, compensatory amounts for round grain and long grain husked rice and for broken rice must be established on the basis of the difference between the threshold price and the market prices recorded on the market of the new Member State concerned during a reference period;

Whereas the new Member States have until now obtained their supplies at world market prices; whereas, these prices, which serve as a basis for fixing the levies after adjustment for differences in transport costs, should be used to establish for these new Member States a price comparable to the threshold price and scarcely varying from one new Member State to another; whereas compensatory amounts for husked rice and broken rice should therefore be fixed at an identical level for the three new Member States;

Whereas the rules in Article 80 (2) of the Act apply to compensatory amounts other than those specified above; whereas under that Article the compensatory amounts for paddy rice, semi-milled rice and wholly milled rice are to be determined by reference to the compensatory amount for husked rice with the aid of the coefficients referred to in Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages

of rice processing<sup>(2)</sup>, as last amended by Regulation (EEC) No 1484/75<sup>(3)</sup>;

Whereas for the products listed in Article 1 (1) (c) of Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(4)</sup>, the compensatory amount must be fixed with the aid of the coefficients used in determining the variable component of the levy; whereas these coefficients were fixed by Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice<sup>(5)</sup>;

Whereas, since the purpose of compensatory amounts in intra-Community trade is to enable trade between Member States having different price levels to be carried on under satisfactory conditions, a compensatory amount should be levied on imports to a Member State with a higher price level and, conversely, such an amount should be granted on exports to a Member State with a lower price level;

Whereas it therefore follows from Article 55 (1) (a) of the Act, according to which compensatory amounts are levied by the importing Member State or granted by the exporting Member State, that it is for the Member State with the higher price level to grant or levy these amounts;

Whereas Article 56 of the Act provides that appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of the market when the world market price is higher than the price used in calculating the import charge introduced under the common agricultural policy, less the compensatory amount; whereas the

<sup>(1)</sup> OJ No L 73, 27. 3. 1972, p. 5.

<sup>(2)</sup> OJ No 204, 24. 8. 1967, p. 1.

<sup>(3)</sup> OJ No L 150, 11. 6. 1975, p. 7.

<sup>(4)</sup> See page 1 of this Official Journal.

<sup>(5)</sup> OJ No L 281, 1. 11. 1975, p. 65.

measures aforesaid may in particular provide for the limited levying or granting of compensatory amounts depending on the fluctuations of prices on the world market; whereas rules for such limitation must therefore be laid down; whereas, moreover, the limitation should be reflected to the same extent in the compensatory amounts applicable to products processed from rice;

Whereas it should be made clear that the application of Article 55 (1) (b) of the Act involves deduction of the compensatory amount from the import levy or export refund;

Whereas it is necessary to provide for the possible introduction, should the need arise, of arrangements for the advance fixing of the compensatory amount;

Whereas appropriate measures must be taken to avoid deflection of trade where, in trade between a new Member State and third countries, the compensatory amount is to be deducted from the refund and the latter is lower than the compensatory amount or is not fixed at all;

Whereas the detailed rules for levying and granting compensatory amounts should be such as to avoid deflections of trade caused, in particular, by differences in their levels;

Whereas for the sake of clarity the Commission should be authorized to publish the compensatory amounts fixed by the Council in the Annex setting out those fixed by the Commission,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The compensatory amounts applicable until 31 August 1973 to trade between the Community as originally constituted and the new Member States and between the new Member States and third countries shall, for the following products, be as follows:

Round grain husked rice: 99 units of account per metric ton;

Long grain husked rice: 114.5 units of account per metric ton;

Broken rice: 45.5 units of account per metric ton.

#### *Article 2*

The compensatory amounts applicable to paddy rice, semi-milled rice, wholly milled rice and products listed in Article 1 (1) (c) of Regulation (EEC) No 1418/76 shall be fixed with the aid of the coefficients given in Regulation No 467/67/EEC and in Regulation (EEC) No 2744/75.

#### *Article 3*

In trade between the new Member States and the Community as originally constituted, compensatory amounts shall be levied or granted by that one of the two Member States in question whose price level used in determining the compensatory amounts is the higher. In trade between new Member States and third countries, the compensatory amounts shall be deducted from the import levy or export refund.

#### *Article 4*

1. The applicable compensatory amount shall be that in force on the day of importation or exportation.

2. However, should the need arise, a decision may be taken, in accordance with the procedure referred to in Article 7 (1), to introduce arrangements for the advance fixing of the compensatory amount.

#### *Article 5*

1. If the import levy for any product referred to in Article 1 is lower than the compensatory amount fixed for that product, the Commission shall, by applying the scale set out in the Annex hereto, determine the amount applicable by way of compensatory amount in trade between the Community as originally constituted and the new Member States, and between those States and third countries.

However, where the amount of the import levy lies within the range of values which includes the compensatory amount fixed in Article 1, that compensatory amount shall continue to apply.

2. For paddy rice, semi-milled or wholly milled rice the amount applicable by way of compensatory amount shall be determined by the Commission with the aid of the coefficients given in Regulation

No 467/67/EEC and by reference to the variations in the amount or amounts as determined in accordance with paragraph 1 for husked rice.

3. For the products listed in Article 1 (c) of Regulation (EEC) No 1418/76, the amount applicable by way of compensatory amount shall be determined by the Commission by reference to the variations in the amount or amounts as determined in accordance with paragraph 1 for the relevant basic products.

#### Article 6

Where, for a given product, a compensatory amount has been fixed and the export refund is lower than that compensatory amount, or has not been fixed, then, when the product in question is exported to a third country, an amount not exceeding the difference between the compensatory amount and the refund, or, as the case may be, not exceeding the compensatory amount, may be levied in the new Member State in question.

#### Article 7

1. The following shall be determined in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76:

- (a) the compensatory amounts provided for in Article 2;
- (b) the compensatory amounts provided for in Article 1 for subsequent marketing years;

(c) detailed rules for granting, levying and recovering compensatory amounts in such a way as to avoid deflections of trade and distortion of competition;

(d) other detailed rules for the application of this Regulation.

2. The Commission is hereby authorized to publish the compensatory amounts together with the compensatory amounts fixed in Article 1.

#### Article 8

1. Council Regulation (EEC) No 243/73 of 31 December 1973 laying down general rules for the system of compensatory amounts for rice and fixing these amounts for certain products <sup>(1)</sup>, as amended by Regulation (EEC) No 1999/74 <sup>(2)</sup>, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

#### Article 9

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

<sup>(1)</sup> OJ No L 29, 1. 2. 1973, p. 26.

<sup>(2)</sup> OJ No L 209, 31. 7. 1974, p. 5.

## ANNEX

Amount of the import levy (u.a./metric ton)	Amount applicable by way of accession compensatory amount (u.a./metric ton)
from 168 to 162·01	165
from 162 to 156·01	159
from 156 to 150·01	153
from 150 to 144·01	147
from 144 to 138·01	141
from 138 to 132·01	135
from 132 to 126·01	129
from 126 to 120·01	123
from 120 to 114·01	117
from 114 to 108·01	111
from 108 to 102·01	105
from 102 to 96·01	99
from 96 to 90·01	93
from 90 to 84·01	87
from 84 to 78·01	81
from 78 to 72·01	75
from 72 to 66·01	69
from 66 to 60·01	63
from 60 to 54·01	57
from 54 to 48·01	51
from 48 to 42·01	45
from 42 to 36·01	39
from 36 to 30·01	33
from 30 to 24·01	27
from 24 to 18·01	21
from 18 to 12·01	15
from 12 to 6·01	9
from 6 to 0·01	3
0	0