

COMMISSION OF THE EUROPEAN COMMUNITIES

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A D D E N D U M

CODIFICATION IN THE RICE SECTOR

(Proposals of regulations submitted
by the Commission to the Council.)



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| R.(CEE) n° 2737/73 du 8 octobre 1973 | JO n° L 282 |
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| R.(CEE) n° 2412/73 du 24 juillet 1973 | JO n° L 251 |
| R.(CEE) n° 243/73 du 31.1.1973 | JO n° L 29 |
| <u>Modification</u> : R.(CEE) n° 1999/74 du 29.7.1974 | JO n° L 209 |

REGULATION (EEC) No OF THE COUNCIL
of
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;

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 dispersion among various numbers of the 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 at which the competent agencies are obliged to buy in the paddy rice which is offered to them, and of a threshold price for husked rice, milled rice and broken rice, to which the price of imported products must be equated by means of a variable 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 have free play;

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;

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 the 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 non-member 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, 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 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 non-member 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 after the import barriers which existed previously have been removed, 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 conventions provision has been made for food aid to be provided in the form of rice; whereas provision should therefore be made whereby rice and rice-based products 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;

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 e) 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-grained rice", "long-grained rice" and "broken rice" are defined in Annex A.

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-grained 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-grained 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 marketing stage and under the same conditions.

3. The intervention prices shall be fixed for Arles and Vercelli and shall be 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 as also 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 variations 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 non-member 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 Article 5(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 in pursuance of 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 above-mentioned 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 person 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 non-member
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 shall 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.

Such licences shall be valid for transactions effected in 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

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

- (a) for round-grained paddy rice, to the levy applicable to round-grained husked rice, adjusted by the conversion rate;
- (b) for long-grained paddy rice, to the levy applicable to long-grained husked rice, adjusted by the conversion rate;
- (c) for round-grained husked rice, to the threshold price less the c i f. price for round-grained rice;
- (d) for long-grained husked rice, to the threshold price less the c i f. price for long-grained rice;
- (e) for round-grained semi-milled rice, to the levy applicable to round-grained wholly milled rice, adjusted by the conversion rate;
- (f) for long-grained semi-milled rice, to the levy applicable to long-grained wholly milled rice, adjusted by the conversion rate;
- (g) for round-grained wholly milled rice, to the threshold price less the c i f. price for round-grained rice;
- (h) for long-grained wholly milled rice, to the threshold price less the c i f. price for long-grained rice;
- (i) for broken rice, to the threshold price less the c i f. 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 non-member 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 made, adjusted for the threshold price which will be in force during the month of importation, shall, if the applicant so requests when applying for the licence, be applied to an import effected at any time during the period of validity of the licence.

A premium, fixed at the same time as the levy, shall be added to the levy where appropriate.

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, on particular rules for the fixing 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 submitted 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-grained husked rice;
- a threshold price for long-grained husked rice;
- a threshold price for round-grained wholly milled rice;
- a threshold price for long-grained wholly milled rice.

2. (a) The threshold price for round-grained husked rice shall be fixed in such a way that on the Duisburg market the imported product sells at a price which 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 ~~and~~ for the same standard quality as the target price.

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

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

Such prices shall be calculated for Rotterdam and 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-grained 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-grained rice representative of Community production and the difference in value, per metric ton of husked rice, between that variety and the variety of round-grained rice corresponding to the standard quality;
 - (b) the threshold price for long-grained husked rice;
 - (c) the threshold price for round-grained wholly milled rice;
 - (d) the threshold price for long-grained 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 c i f price for round-grained husked rice;
 - (b) a c i . f price for long-grained husked rice;
 - (c) a c i f price for round-grained wholly milled rice;
 - (d) a c . i f price for long-grained wholly milled rice;
 - (e) a c i . f price for broken rice.

2. The c.i.f. prices shall relate to goods in bulk and correspond to the most favourable purchasing opportunities on the world market, these being determined, for each of the types of rice referred to in paragraph 1, from the quotations or prices on that market adjusted for any differences in quality compared with the standard quality, and for long-grained rice for any difference in value between that quality and the variety representative of Community production, and, if need be, for the conversion rate, for processing costs and for 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 determinant for the offer price and where that price is lower than world market prices, a special c.i.f. price calculated on the basis of the offer price shall be substituted solely in respect of the imports in question, for the c.i.f. price.
5. Detailed rules for the application of this Article, in particular the corrective amounts, the method of calculating c.i.f. 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 non-member countries and the use of non-member 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, alter 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 made, adjusted for the threshold price which will be in force during the month of exportation, shall, if the applicant so requests when applying for the licence, be applied to an export to be effected at any time during the period of validity of 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, following a request from a Member State or on its own initiative, may modify the corrective amounts in the intervening period.

The provisions of the preceding subparagraph may be applied in whole or in part to any of the products listed in Article 1(1)(c) or 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 export 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 submitted 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 the 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 the purpose of determining:

- (a) the conversion rates between:
 - husked rice and paddy rice, to be applied for purposes of Articles 4(3), 11(1)(a) and (b) and 16(2);
 - husked rice and wholly milled rice, to be applied for purposes of Articles 14(3) and 16(2);
 - wholly milled rice and semi-milled rice, to be applied for purposes of Articles 11(1)(e) and (f) and 16(2);
- (b) the processing costs and the value of by-products, to be taken into account for purposes of Articles 4(3), 14(3) and 16(2).

Article 20

1. Without prejudice to the provisions of Regulation (EEC) No (1), 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 the application of this Regulation, including the definitions listed in Annex A, shall be incorporated in the Common Customs Tariff.

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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 applicant shall be regarded as 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 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 non-member 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 twenty four 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

The 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 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 the Council Regulation No of on the common organization of the market in cereals (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 above-mentioned Regulation regarding that Committee shall apply in **all aspects.**

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. **Opinions** shall be adopted by a majority of **forty-one votes.**

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

24
Member State.

Article 29

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

Article 30

Regulations concerning the financing of the common agricultural policy shall apply to the markets in products listed in Article 1(1).

Article 31

1. Council Regulation No 359/67/EEC⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 668/75⁽²⁾, is hereby repealed.
2. ~~All~~ references to the Regulation repealed by paragraph 1 shall be treated as references to this Regulation.

References to Articles of the first-mentioned Regulation shall be correlated to those of this Regulation in accordance with the Table set out in Annex C.

Article 32

This Regulation shall enter into force on

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

Done at Brussels,

For the Council

The President

(1) OJ No 174, 31.7.1967, p. 1
(2) OJ No L 72, 20.3.1975, p. 18

ANNEX A

Definitions

1. (a) paddy rice: rice which has retained the husk after threshing;
 - (b) husked rice: paddy rice from which only the husk has been removed. This term includes rice known commercially as "brown rice", "cargo rice", "loonzain rice" 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 has 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 or semi-long grained rice and, at least part of the germ in the case of round-grained rice have been removed, but in which longitudinal white striations may remain on not more than 10% of the grains;
2. (a) round-grained rice: rice of which the grains have a length not exceeding 5.2 mm and a ratio of length to width of less than 2;
 - (b) long-grained rice: rice of which the grains have a length exceeding 5.2 mm;
 - (c) measurements of the grains: grain measurements are taken on milled rice by the following method:
 - (i) take a representative sample from the consignment;
 - (ii) sieve the same 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

| <u>CCT heading No</u> | <u>Description of goods</u> |
|-----------------------|--|
| 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, corn flakes and similar products) |
| 19.06 | Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products |
| ex 21.07 | Food preparations not elsewhere specified or included, containing sugar, milk products, cereals or cereal-based products |
| 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 CTable of correlation

| <u>Regulation No 359/67/EEC</u> | <u>This Regulation</u> |
|---------------------------------|------------------------|
| Article 23a | Article 25 |
| Article 25 | Article 26 |
| Article 26 | Article 27 |
| Article 27 | Article 28 |

Proposal for consolidation of Regulation (EEC) No 669/75.

The Commission proposes^{to} the Council that, as part of the consolidation of all acts of the Council relating to rice products, it should also proceed to adopt the text of Council Regulation (EEC) No 669/75 of 4 March 1975 fixing the target price for husked rice for the 1975/76 marketing year (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form and which should be incorporated into the text:

| <u>Reference</u> | <u>Former text</u> | <u>New text</u> |
|------------------|--|---|
| Sole Article | Sole Article 26.103 units of account per 100 kg. | Article 1 261.03 units of account per metric ton. |
| | | <u>Article 2</u> 1. Council Regulation (EEC) No 669/75 of 5 March 1975 fixing the target price for husked rice for the 1975/76 marketing year is hereby repealed. 2. All references to the Regulation repealed by Article 1 paragraph 1 shall be treated as references to this Regulation. |
| | | <u>Article 3</u> This Regulation shall enter into force on |

In addition^{tion} references to Regulations which by reason of their consolidation stand repealed are to be replaced by a reference setting out their new number in accordance with the following table:

| <u>Relevant provisions</u> | <u>Reference to be replaced</u> |
|----------------------------|--|
| 2nd citation | 359/67/EEC of 25 July 1967 as last amended by Regulation (EEC) No 638/75 |
| 5th citation | Having regard to the Opinion of the Economic and Social Committee. |

(1) OJ No L 72, 20.3.1975, p. 19

Proposal for consolidation of Regulation (EEC) No 670/75

The Commission proposes the Council that, as part of the consolidation of all acts of the Council relating to rice products, it should also proceed to adopt the text of Council Regulation (EEC) No 670/75 of 4 March 1975 fixing the target price for husked rice for the 1975/76 marketing year.

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be interpreted into the text:

| <u>References</u> | <u>Former text</u> | <u>New text</u> |
|-------------------|-------------------------------------|---|
| Sole article | sole article | article 1 |
| article 1 | 15.487 units of account per 100 kg. | 154.87 units of account per ton |
| | | <u>Article 2</u> |
| | | 1. Council Regulation (EEC) No 670/75 of 4 March 1975 fixing the target price for husked rice for the 1975/76 marketing year (1), is hereby repealed. |
| | | 2. All references to the Regulation repealed by virtue of paragraph 1 shall be treated as references to this Regulation. |
| | | <u>Article 3</u> |
| | | This Regulation shall enter into force on |

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

| <u>Relevant provisions</u> | <u>Reference to be replaced</u> |
|----------------------------|--|
| 2nd visa | 359/67/EEC 25 July 1967 as last amended by Regulation (EEC) No. 660/75 |
| 5th visa | Having regard to the Opinion of the Economic and Social Committee |
| 1st considerant | 669/75 4 March 1975 359/67/EEC |

(1) OJ No L 72, 20.3.1975, p. 20

Proposal for consolidation of Regulation No. 369/67/EEC

The Commission proposes ^{to} the Council that, as part of the consolidation of all acts of the Council relating to rice products, it should also proceed to adopt the text of Council Regulation No 369/67/EEC of 25 July 1967 ⁽¹⁾ laying down rules for determining rice marketing centres other than Arles and Vercelli.

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be incorporated into the text:

| <u>Reference</u> | <u>Former text</u> | <u>New text</u> |
|------------------|-----------------------------------|--|
| Article 3 | to be amended to read as follows: | <p>1. Council Regulation No. 369/67/EEC ⁽¹⁾ of 25 July 1967 laying down rules for determining rice marketing centres other than Arles and Vercelli, is hereby repealed.</p> <p>2 All references to the Regulation repealed paragraph 1 shall be treated as references to this Regulation.</p> |

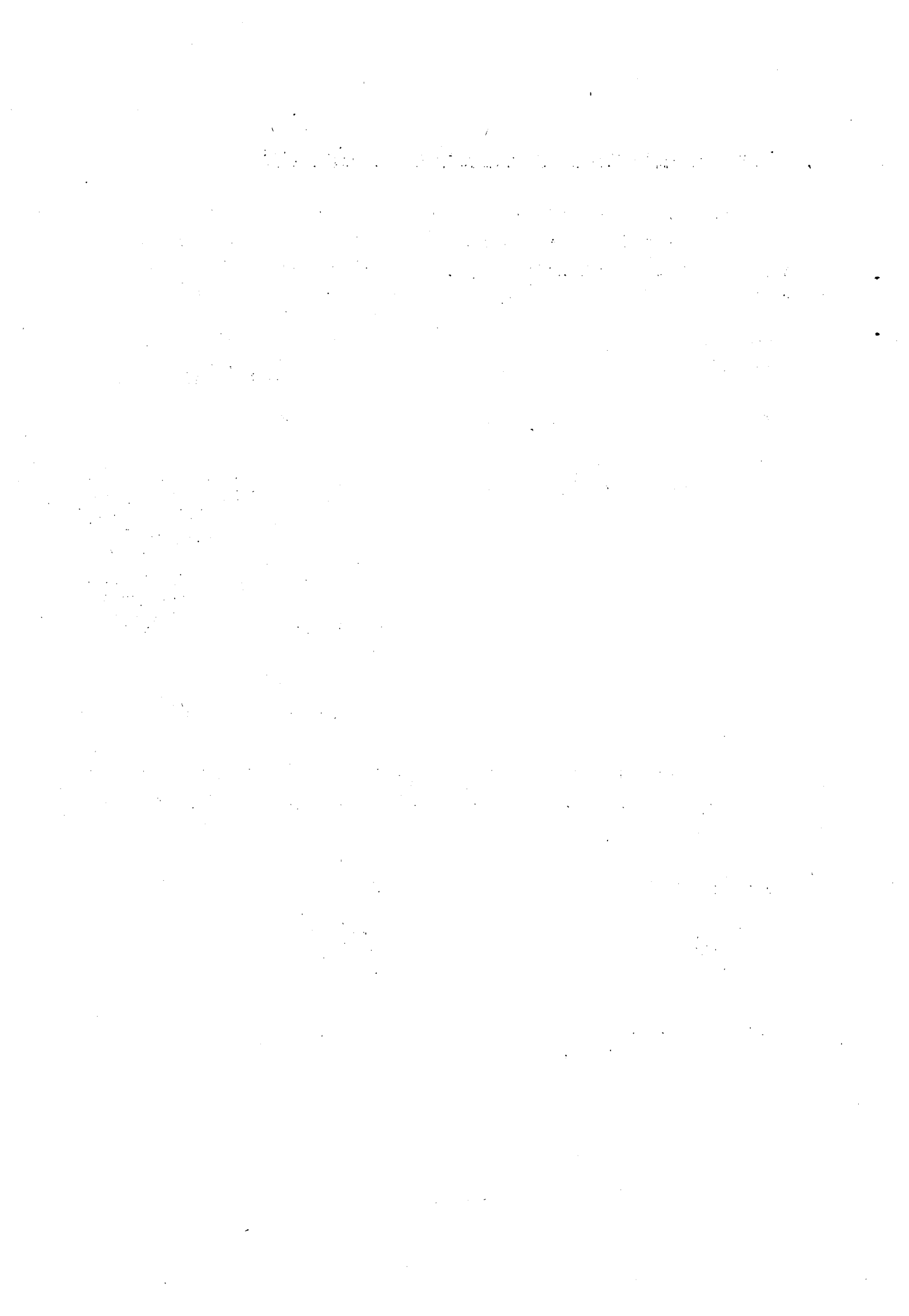
Article 4

This Regulation shall enter into force on

In addition ^{tion} references to Regulations which by reason of their consolidation stand repealed are to ^{be} replaced by a reference setting out their new number in accordance with the following table:

| <u>Relevant provisions</u> | <u>Reference to be replaced</u> |
|----------------------------|---------------------------------|
| 2nd citation | 359/67/EEC 25 July 1967 |
| 1st recital | 359/67/EEC |
| Article 1 | 359/67/EEC |

(1) OJ No 174, 31.7.1967, p. 38



REGULATION (EEC) No OF THE COUNCIL
of
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 Regulation (EEC) No (1) on the common organisation of the market in rice, and in particular Article 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-grained rice harvested in the Community and, as regards broken rice, to the average quality of broken rice usually obtained in Community industry from the 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 in respect of 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-grained rice harvested within the Community under normal conditions, of a type corresponding to the 'Balilla' variety;

(1) See page of this Official Journal

- (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 milled rice in whole grains (with a tolerance of 5% of clipped grains): 77.50% by weight, of which milled rice grains which are not of unimpaired quality (percentages by weight):
 - chalky grains: 3%;
 - spotted grains: 1%;
 - stained grains: 0.50%;
 - yellow grains: 0.50%;
 - amber grains: 0.125%.

Article 2

The standard quality of paddy rice in respect of 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-grained rice harvested within the Community under normal conditions, of a type corresponding to the 'Balilla' variety;
- (b) moisture content: 14.50%;
- (c) yield of milled rice in whole grains (with a tolerance of 5% of clipped grains) "63%" by weight, of which milled rice grains which are not of unimpaired quality (percentages by weight):
 - chalky grains: 3%;
 - grains striated with red: 3%;
 - spotted grains : 1%;
 - stained grains: 0.50%;
 - 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 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: 0.01%.

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⁽¹⁾ of 25 July 1967 determining standard quality for rice and broken rice, as last amended by Regulation (EEC) No 1555/71⁽²⁾, is hereby repealed.
2. references to the Regulation repealed by paragraph 1 shall be treated as references to the present Regulation.

Article 6

This Regulation shall enter into force on

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

Done at Brussels,

For the Council

The President

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.

Proposal for consolidation of Regulation No. 364/67/EEC

The Commission proposes ^{to} the Council that, as part of the consolidation of all acts of the Council relating to rice products, it should also proceed to adopt the text of Council Regulation No 364/67/EEC⁽¹⁾ of 25 July 1967 laying down general rules for intervention on the market in rice

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be incorporated into the text:

| <u>Reference</u> | <u>Former text</u> | <u>New text</u> |
|------------------|---|--|
| Article 4 | acting in accordance with the voting procedure laid down in Article 43(2) of the Treaty | acting by a qualified majority |
| Article 5 | To be amended to read as follows: | <p>1. Council Regulation (EEC) No. 364/67 of 25 July 1967 laying down general rules for intervention on the market in rice , is hereby repealed.</p> <p>2. All references to the Regulation repealed by paragraph 1 shall be treated as references to this Regulation.</p> |

Article 6

This Regulation shall enter into force on

In addition: references to Regulations which by reason of their consolidation stand repealed replaced by a reference setting out their new number in accordance with the following table:

| <u>Relevant provisions</u> | <u>Reference to be replaced</u> |
|----------------------------|---------------------------------|
| 2nd citation | 359/67/EEC 25 July 1967 |
| 1st recital | 359/67/EEC |
| Article 1 | 359/67/EEC |

(1) OJ No 174, 31.7.1967, p. 30

Proposal for consolidation of Regulation (EEC) No 446/68

The Commission proposes ^{to} the Council that, as part of the consolidation of all acts of the Council relating to rice products, it should also proceed to adopt the text of Council Regulation (EEC) No 446/68⁽¹⁾ of 9 April 1968 on special intervention measures for rice (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be incorporated into the text:

| <u>Reference</u> | <u>Former text</u> | <u>New text</u> |
|------------------|----------------------------|-------------------------|
| Sole article | sole article article 26 | article 1 article 27 |

Article 2

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

2. All references to the Regulation repealed by virtue of paragraph 1 shall be treated as references to this Regulation.

Article 3

This Regulation shall enter into force on

In addition, references to Regulations which by reason of their consolidation stand repealed ^{are to} be replaced by a reference setting out their new number in accordance with the following table:

| <u>Relevant provisions</u> | <u>Reference to be replaced</u> |
|----------------------------|--|
| 2nd citation article 1 | 359/67/EEC 25 July 1967 359/67/EEC |

(1) OJ No L 91, 31.7.1968, p. 4

Proposal for consolidation of Regulation (EEC) No. 1893/75

The Commission proposes^{to} the Council that, as part of the consolidation of all acts of the Council relating to rice products, it should also proceed to adopt the text of Council Regulation (EEC) No 1893/75⁽¹⁾ of 22 July 1975 fixing for the 1975/76 marketing year, the monthly price increases for paddy and husked rice.

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form and which should be incorporated into the text:

| <u>Reference</u> | <u>Former Text</u> | <u>New text</u> |
|------------------|--|---|
| sole article | sole article | article 1 |
| | 0.172 unit of account per 100 kilogrammes | 1.72 units of account per metric ton |
| | 0.215 unit of account per 100 kilogrammes | 2.15 units of account per metric ton |

Article 2

1. Regulation (EEC) No 1893/75 of the Council of 22 July 1975 fixing, for the 1975/76 marketing year, the monthly price increases for paddy and husked rice is hereby repealed.
2. All references to the Regulation repealed by paragraph 1 shall be treated as references to this Regulation.

Article 3

This Regulation shall enter into force on

In addition, references to Regulations which by reason of their consolidation stand repealed are to be replaced by a reference setting out their new number in accordance with the following table:

| <u>Relevant provisions</u> | <u>Reference to be replaced</u> |
|----------------------------|--|
| 2nd citation | 359/67/EEC 25 July 1967 as last amended by Regulation (EEC) No. 668/75 |
| article 1 | 359/67/EEC |

(1) OJ No L 193, 22.7.1975, p. 4

REGULATION (EEC) No OF THE COUNCIL

of

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 of
on the common organization of the market in rice, 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 and 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 regionalisation 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 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 c.i.f. price and the c.i.f. forward delivery price, where the latter is lower than the former, determined on the basis of offers reflecting the real trend of the future market;

Whereas there are exceptional cases in which special circumstances cause substantial 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 c.i.f. price and the c.i.f. 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 reference to threshold and c.i.f. prices specific to those products but are derived from ^{the} levies applicable, respectively, to husked rice and milled rice, by means of 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;

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the premiums provided for in Article 13(2) of Regulation (EEC) No shall be fixed in accordance with the criteria laid down in this Regulation.
2. A premium shall be fixed for the current month and 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.

Article 2

Where the c.i.f. price for husked rice, for milled rice or for broken rice is higher than the c.i.f. 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 on the basis of the conversion rate determined in accordance with Article 19 of Regulation (EEC) No ;
- (c) for semi-milled rice, to the premium applicable to wholly milled rice, ^{adjusted on the basis of the conversion rate determined in accordance with the} said Article.

Article 3

1. The c.i.f. price for each product shall be that determined, in accordance with Article 16 of Regulation (EEC) No _____ on the day the premium is fixed.

2. The c.i.f. forward delivery price for each product shall be the c.i.f. price^{as} determined in accordance with Article 16 of Regulation (EEC) No _____ 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, _____ the price ruling for shipment during _____ t at 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 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, _____ the 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, _____ the price ruling for shipment during the last month for which a forward offer was made.

Article 4

If the c.i.f. forward delivery price is equal to the c.i.f. price or lower by an amount not exceeding 0.25 units of account per metric ton, the premium shall^{be} _____ units of account.
_{zero}

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

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

Article 7

1. In exceptional cases where special circumstances cause substantial 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 c.i.f. price and the last c.i.f. price before the prices began to be affected by the special circumstances mentioned in paragraph 1.

Article 8

In the cases mentioned in Article 7, a decision may be taken in accordance with the procedure provided for in Article 27 of Regulation (EEC) n° 1306/69 to suspend advance fixing of the levy under Article 13(2) of that Regulation N° 1306/69 the period in respect of which it is possible to obtain advance fixing of the levy.

Article 9

Rules regarding the scale of premium 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

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 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

Article 11

1. Council Regulation (EEC) No 365/67/EEC⁽¹⁾ of 25 July 1967 on rules for the advance fixing of levies on rice and broken rice, as last amended by Regulation (EEC) No 2435/70⁽²⁾, is hereby repealed.
2. The references to the Regulation repealed by paragraph 1 shall be treated as references to the present Regulation.

References to Articles of the first mentioned Regulation shall be correlated to those of this Regulation in accordance with the Table set out in Annex I.

Article 12

This Regulation shall enter into force on

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

Done at Brussels,

For the Council

The President

(1) OJ No 174, 31.7.1967, p. 32
(2) OJ No L 262, 3 12.1970, p. 3

ANNEX

CORRELATION TABLE

Regulation No. 365/67/EEC

Present Regulation

Article 9a.

Article 10

Proposal for consolidation of Regulation (EEC) No. 1892/75

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to rice products, it should also proceed to adopt the text of Council Regulation (EEC) No 1892/75⁽¹⁾ 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 milled rice.

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be incorporated into the text:

| <u>Reference</u> | <u>Former text</u> | <u>New Text</u> |
|------------------|---|--|
| Article 2 | 25.72 units of account per 100 kilogrammes | 257.2 units of account per metric ton |
| Article 3 | 16.045 units of account per 100 kilogrammes | 160.45 units of account per metric ton |
| Article 4 | 1.15 units of account per 100 kilogrammes | 11.5 units of account per metric ton |

Article 5

1. Council Regulation (EEC) N°1892/75⁽¹⁾ 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 milled rice is hereby repealed.
2. All references to the Regulation repealed by paragraph 1 shall be treated as references to this Regulation.

Article 6

This Regulation shall enter into force on

In addition references to Regulations which by reason of their consolidation stand repealed do to be replaced by a reference setting out their new number in accordance with the following table:

| <u>Relevant provisions</u> | <u>Reference to be replaced</u> |
|----------------------------|--|
| 2nd citation | 359/67/EEC 25 July 1967 as last amended by Regulation (EEC) No 668/75. |
| 1st recital | 359/67/EEC |
| 2nd recital | 359/67/EEC |
| 3rd recital | 359/67/EEC |

(1) OJ L 193, 22.7.1975, p. 3

1. The first part of the paper discusses the general theory of the subject, and the second part discusses the application of the theory to the case of the University of Chicago.

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REGULATION (EEC) No OF THE COUNCIL

of

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 of
on the common organization of the market in rice, 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 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 where pursuant to Article 17 (2) of Regulation (EEC) No ... 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 from markets in the countries of destination or on the basis of the
special conditions which apply to imports in certain of these countries ;

(1) See page of this Official Journal

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 for 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 ;

Whereas, in certain situations, and in particular in periods of uncertainty or of wide price fluctuations on the world market, exports should be regulated by means of a quantitative limitation of refunds; whereas determination of the refund by way of a tendering procedure is a suitable means of attaining that objective; whereas, therefore, the adjustment, on the basis of the threshold price, 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, ^{as} laid down by this Regulation, should be set out in greater detail, in order to prevent wrongful application of Article 17(4) of Regulation (EEC) No involving the omission of those conversion rates;

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

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 .

Article 2

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

- (a) the existing situation and the future trend with regard to:
 - prices and availabilities of rice and broken rice on the Community market;
 - prices for rice and 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 No 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 non-member 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 may be determined, 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.

Article 5

1. The refund may be increased by a compensatory amount in respect of stocks of paddy rice harvested within the Community during a given marketing year's and of husked rice obtained therefrom, which are in hand at the end of that a marketing year and 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 equal :

in the case of husked rice, 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, 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 N°..

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 destination.

Article 7

If the export refund on paddy rice, long-grained wholly milled rice or semi-milled rice is fixed in advance, the conversion rates determined pursuant to Article 19(a) of that Regulation shall be taken into account in making the adjustment pursuant to Article 17 (4) of Regulation (EEC) N°... on the basis of the threshold price in force at the time of exportation.

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
- **in the case of paddy rice and husked rice that the products** 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, ^{that} 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, ^{that} provided/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

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 non-member countries and re-exported to non-member 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 charged on importation.

In such cases, the refund on each product shall be equal to the levy charged 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 charged on importation is higher than this refund.

Article 11

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

(1) OJ No 174, 31.7.1967, p. 34

(2) OJ No L 52, 28.2.1975, p. 34

2. All references to the Regulation repealed by virtue of paragraph 1 shall be treated as references to this Regulation.

A table is provided in the annex for the purposes of correlating references to the preamble and articles of that Regulation with those of this Regulation.

Article 12

This Regulation shall enter into force on

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

Done at Brussels,

For the Council

The President

TABLE OF CORRELATIONRegulation No 366/67/EECThis Regulation

Article 4

Article 5

Article 5

Article 6

Article 5a

Article 7

Article 6

Article 8

Article 7

Article 9

Article 8

Article 10

1992

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2001

2002

2003

2004

2005

2006

2007

2008

2009

REGULATION (EEC) No OF THE COUNCIL

of

laying down general rules to be applied
in the event of disturbance of 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 (1) of
on the common organization of the market in rice, and in particular Article
21(2) thereof;

Having regard to the proposal from the Commission;

Whereas Article 21 of Regulation (EEC) No /75⁽¹⁾ lays down 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 therefore 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 respond to
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 require that exports of products
for that purpose should be excluded from this Regulation.

HAS ADOPTED THIS REGULATION:

(1) See page of this Official Journal.

Article 1

1. For the purposes of Article 21 of Regulation (EEC) No _____ prices on the world market shall be considered 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 having regard to ^{the} foreseeable trend of production and ^{of} market price.
3. The Community market shall be regarded as being disturbed or threatened with disturbance, as a result of the situation referred to in paragraph 1 and 2, where international trade prices are so high as to impede importation into the products listed in Article 1(1)(a) and (b) of Regulation (EEC) No _____ ^{Community} into the Community, or provoke exportation of such products from the Community, to such an extent as to jeopardize the stability of the market or the security of supply/

Article 2

1. Where, ~~having the criteria laid down in Article 1, the conditions specified in Article 21 of Regulation (EEC) No _____ are met, the following measures may be taken:~~ ^{being the criteria laid down in Article 1, the conditions specified in Article 21 of Regulation (EEC) No _____ are met, the following measures}

- application of an export levy; in addition, provision may be made for a special levy, to be determined by tender in respect of a fixed quantity,
- fixing of a waiting ^{period} for the issue of export licences,
- total or partial suspension of the issue of export licences,
- total or partial refusal 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 _____ 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

- (a) ^{the} situation and future trends:
 - in respect of rice prices and availabilities on the Community market,
 - in respect of rice prices and products processed from rice on the world market;
- (b) the objectives of the common organization of the market in rice, namely to balance that market both as regards supplies and as regards trade;
- (c) the need to avoid disturbances of the Community market;
- (d) the economic aspect of the exports.

2. The factors set out in paragraph 1 shall apply ^{for the purpose of} fixing an export levy for the products referred to in Article 1(1)(c) of Regulation (EEC) No . 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 make it necessary the export levy may be varied according to destination.

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

However, the export levy applicable on the day on which application for the licence is made shall be applied to exports to be effected ^{at any time} during the period of validity of that licence, the applicant so requests when applying for a licence.

5. No levy shall be applied to exports effected by way of food aid under Article 24 of Regulation (EEC) No .

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.

2. The following shall be determined under the same procedure and for each product:

- the introduction of the measures provided for in Article 2 and the discontinuance of the measures provided for in the second and third indents of Article 2(1);
- the amount of the export levy, which shall be fixed at regular intervals.

3. In case of need, the Commission shall have the power to introduce or alter 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.

A Decision relating to measures referred to in the third indent of Article 2(1) shall be applicable for a period not exceeding 7 days.

Article 6

1. Council Regulation (EEC) No 2737/73⁽¹⁾ of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, as amended by Regulation (EEC) No 447/75⁽²⁾, is hereby repealed.

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

Article 7

This Regulation shall enter into force on

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

Done at Brussels,

For the Council
The President

Proposal for consolidation of Regulation (EEC) No. 2592/69

The Commission proposes the Council that, as part of the consolidation of all acts of the Council relating to rice products, it should also proceed to adopt the text of Council Regulation (EEC) No. 2592/69 of 18 December 1969 laying down conditions for applying protective measures in the market in rice.

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be incorporated into the text:

| <u>References</u> | <u>Former text</u> | <u>New text</u> |
|-------------------|-----------------------------------|--|
| article 5 | To be amended to read as follows: | <p>1. Council Regulation (EEC) No 259/69⁽¹⁾ of 18 December 1969 laying down conditions for applying protective measures in the market in rice () is hereby repealed.</p> <p>2. All references to the Regulation repealed by paragraph 1 shall be treated as references to this Regulation.</p> |

Article 6

This Regulation shall enter into force on

In addition references to Regulations which by reason of their consolidation stand repealed are to be replaced by a reference to their new number in accordance with the following table:

| <u>Relevant provisions</u> | <u>Reference to be replaced</u> |
|----------------------------|--|
| 2nd citation | 359/67/EEC 25 July 1967 as last amended by Regulation (EEC) No 2463/69 |
| 1st recital | 359/67/EEC |
| 7th recital | 359/67/EEC |
| 3th recital | 359/67/EEC |
| article 1 | 359/67/EEC |
| article 2, | 359/67/EEC |
| article 3 | 359/67/EEC |
| article 4, | 359/67/EEC |
| article 4, | 359/67/EEC |

(1) OJ No L 324, 27.12.1969, p. 3

Proposal for consolidation of Regulation (EEC) No 2412/73

The Commission proposes the Council that, as part of the consolidation of all acts of the Council relating to rice products, it should also proceed to adopt the text of Council Regulation (EEC) No 2412/73⁽¹⁾ of 24 July 1973 concerning imports of rice from the Arab Republic of Egypt

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be incorporated into the text:

References

Former text

New text

article 4

article 26

article 27

article 5

to be amended to read as follows:

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

2. All references to the Regulation repealed by paragraph 1 shall be treated as references to this Regulation.

Article 6

This Regulation shall enter into force on

In addition references to Regulations which by reason of their consolidation stand repealed are to be replaced by a reference to their new number in accordance with the following table:

Relevant provisions

Reference to be replaced

article 1

359/67/EEC 25 July 1967 as last amended by the Act of Accession.

article 4

359/67/EEC

(1) OJ No L 251, 7.8.1973, p. 103

REGULATION (EEC) No OF THE COUNCIL
of

laying down general rules for the system of
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 (1)

and

, 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-grained and long-grained 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, after adjustment for differences in transport costs, serve as the basis for the calculation of the levies, should be taken as the basis for the establishment in respect of the new member States of a price comparable to the threshold price and not too widely varying from one new Member State to another; whereas compensatory amounts for husked and broken rice should therefore be fixed at an identical level for the three new Member States;

Whereas compensatory amounts for products other than those mentioned above are dealt with in Article 80 (2) of the Act; whereas under that the compensatory amounts for paddy rice, semi-milled rice and wholly milled rice are to be defined from of the compensatory amount for husked rice by application of the coefficients laid down in Commission Regulation No 467/67/EEC (2) 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, as last amended by Regulation (EEC) No 1808/74 (3);

(1) OJ No L 73, 27.3.1972, p. 5
(2) OJ No L 204, 24.8.1967, p. 2
(3) OJ No L 188, 12.7.1974, p. 34

Whereas for ^{the} products ^{specified} in Article 1(1)(c) of Council Regulation No (4) of _____ on the common organization of the market in rice, the compensatory amount must be fixed by means of the coefficients used in determining the variable component of the levy; whereas these coefficients were fixed by Council Regulation (EEC) No (5) of _____ on the import and export system for products processed from cereals and from rice;

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 if 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 measures aforesaid may in particular provide for the charging or levying of compensatory amounts ^{by reference to} ~~to~~ be limited the fluctuations of prices on the world market; whereas ~~rules~~ ^{down} for such limitation must therefore be laid down; whereas, moreover, the ~~same~~ should be reflected equally 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 levy or refund;

Whereas it is necessary to make provisions for the introduction, should the need arise, of arrangements ^{the} for advance fixing of the compensatory amount;

(4) See page _____ of this Official Journal
 (5) OJ No L _____

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

Whereas ^{the} detailed rules for ^{the} levying and granting of compensatory amounts should be such as to avoid deflections of trade, in particular, differences in the levels of those amounts

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

HAS ADOPTED THIS REGULATION:

Article 1

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

| | |
|----------------------------|--|
| Round-grained husked rice: | 99 units of account per metric ton; |
| Long-grained 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, milled rice and products specified in Article 1(1)^(c) of Regulation (EEC) No shall be fixed by means of the coefficients provided in Regulation No 467/67/EEC⁽¹⁾ and (EEC) No ⁽²⁾ in Regulation

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 as taken for determination of the compensatory amounts is the higher. In trade between new Member States and non-member countries, the compensatory amounts shall be deducted from the levy or refund.

(1) OJ No 204, 24.8.1967, p. 1
(2) OJ No

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, under the procedure referred to in Article 7 (1), to introduce arrangements for the advance fixing of the compensatory amount.

Article 5

1. If the 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 here to, fix a compensatory amount to be applicable by way of compensatory amount in trade between the Community as originally constituted and the new Member States, and between those States and non-member countries. However, where the amount of 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 by means of the coefficients given in Regulation No 467/67/EEC and for husked rice by reference to the variations in the amount or amounts as determined in accordance with paragraph 1 for husked rice.
3. For the products specified in Article 1(c) of Regulation (EEC) No.,... the 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 refund is lower than that compensatory amount, or has not been fixed, then, when the product in question is exported to a non-member 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 :

- (a) the compensatory amounts provided for in Article 2;
- (b) for subsequent marketing years, the compensatory amounts provided for in Article 1 ;
- (c) detailed rules designed to avoid deflections of trade and distortion of competition for the granting, levying and collection of compensatory amounts ;
- (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⁽¹⁾ of 31 December 1973 laying down general rules for the system of compensatory amounts for rice and fixing these amounts for certain products, as amended by Regulation (EEC) No 1999/74⁽²⁾, is hereby repealed.

2. All references to the Regulation repealed by paragraph 1 shall be treated as references to this Regulation.

Article 9

This Regulation shall enter into force on

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

Done at Brussels,

For the Council

The President

(1) OJ No L 29, 1.2.1973, p. 26
(2) OJ No L 209, 31.7.1974, p. 5

ANNEX

| Amount of the Community levy in u.s./metric ton | Amount applicable by way of compensatory amount, in u.s./metric ton |
|--|--|
| from 168 to 162.1 | 165 |
| from 162 to 156.1 | 159 |
| from 156 to 150.1 | 153 |
| from 150 to 144.1 | 147 |
| from 144 to 138.1 | 141 |
| from 138 to 132.1 | 135 |
| from 132 to 126.1 | 129 |
| from 126 to 120.1 | 123 |
| from 120 to 114.1 | 117 |
| from 114 to 108.1 | 111 |
| from 108 to 102.1 | 105 |
| from 102 to 96.1 | 99 |
| from 96 to 90.1 | 93 |
| from 90 to 84.1 | 87 |
| from 84 to 78.1 | 81 |
| from 78 to 72.1 | 75 |
| from 72 to 66.1 | 69 |
| from 66 to 60.1 | 63 |
| from 60 to 54.1 | 57 |
| from 54 to 48.1 | 51 |
| from 48 to 42.1 | 45 |
| from 42 to 36.1 | 39 |
| from 36 to 30.1 | 33 |
| from 30 to 24.1 | 27 |
| from 24 to 18.1 | 21 |
| from 18 to 12.1 | 15 |
| from 12 to 6.1 | 9 |
| from 6 to 0.1 | 3 |
| 0 | 0 |