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REGULATION (EEC) No 2434/70 OF THE COUNCIL

of 30 November 1970

amending Regulations No 120/67/EEC and No 359/67/EEC on the common organisation of the markets in cereals and rice respectively

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the term 'sorghum' includes not only sorghum itself but also Indian millet, which is merely a variety of this cereal; whereas, therefore, Council Regulation No 120/67/EEC[1] of 13 June 1967 on the common organisation of the market in cereals, as last amended by Regulation (EEC) No 1253/70,[2] should be amended;

Whereas in accordance with Article 15 (2) of Regulation No 120/67/EEC and with Article 13 (2) of Council Regulation No 359/67/EEC[3] of 25 July 1967 on the common organisation of the market in rice, as last amended by Regulation (EEC) No 1253/70, the levy fixed in advance is adjusted on the basis of the threshold price in force during the month in which importation is expected to take place;

Whereas this provision obliges the importer to inform the body responsible for issuing the licence of the month envisaged for importation; whereas, however, experience has shown that, in general, the month shown on the import licence does not correspond to the month in which importation takes place;

Whereas, in order that the Community forms for licences, which are to be used from 1 January 1971, in accordance with Commission Regulation (EEC) No 1373/70[4] of 10 July 1970 on common procedures for applying the system of import and export licences and advance fixing certificates in respect of agricultural products subject to a common price system, should not contain unnecessary and useless information, mention of the expected month of importation should be dispensed with; whereas an amendment in this sense to paragraph 2 of Articles 15 and 13 of the two basic Regulations entails an amendment to paragraph 4 of those Articles;

HAS ADOPTED THIS REGULATION:

Article 1

In the French, Italian and Dutch texts of Article 1 (a) of Regulation No 120/67/EEC, the description of goods falling within heading No 10.07 shall be amended to read as follows:

(a) *French text:*

CCT heading No	Description of goods
10.07	Sarrasin, millet, alpiste et sorgho; autres cereales

(b) *Italian text:*

CCT heading No	Description of goods
10.07	Grano saraceno, miglio, scagliola, sorgho; altri cereali

[1] OJ No 117, 19.6.1967, p. 2269/67.
[2] OJ No L 143, 1.7.1970, p. 1.
[3] OJ No 174, 31.7. 1967, p. 1.
[4] OJ No L 158, 20.7.1970, p. 1.

(c) *Dutch text:*

CCT heading No	Description of goods
10.07	Boekweit, kanariezaad en gierst (pluimgierst, trosgierst, sorgho, enz.); andere granen

Article 2

1. In Annex A to Regulation No 120/67/EEC the description of goods falling within sub-heading No ex 11.01 K shall be amended to read as follows:

CCT heading No	Description of goods
ex 11.01	K grain sorghum flour

2. In the German text of Annex A to Regulation No 120/67/EEC the description of goods falling within subheading No ex 11.01 H shall be amended to read as follows:

CCT heading No	Description of goods
ex 11.01	H von Hirse außer Sorghum

Article 3

Article 15 of Regulation No 120/67/EEC shall be amended as follows:

(a) The following shall be substituted for the text of paragraph 2:

'However, as regards imports of products listed in Article 1 (a) and (b), 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 be applied to an import to be effected during the period of validity of the licence, if the applicant so requests when applying for the licence. In this case a premium, fixed at the same time as the levy, shall be added to the levy.'

(b) The following shall be substituted for the text of paragraph 4:

'The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall lay down rules for fixing the scale of premiums and adopt measures to be taken in exceptional circumstances.'

Article 4

Article 13 of Regulation No 359/67/EEC shall be amended as follows:

(a) The following shall be substituted for the text of paragraph 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 be applied to an import to be effected during the period of validity of the licence, if the applicant so requests when applying for the licence. A premium, fixed at the same time as the levy, shall be added to the levy, where appropriate.

(b) The following shall be substituted for the text of paragraph 4:

'The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall lay down rules for the application of paragraph 2, in particular rules for fixing premiums, and adopt measures to be taken in exceptional circumstances.'

Article 5

This Regulation shall enter into force on 1 January 1971.

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

Done at Brussels, 30 November 1970.

For the Council

The President

H. D. GRIESAU