COMMISSION REGULATION (EEC) No 1157/76

of 17 May 1976

amending for the sixth time Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals [1], as amended by Regulation (EEC) No 3058/75 [2], and in particular Article 12 (2) thereof,

Whereas Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice [3], as last amended by Regulation (EEC) No 718/76 [4], fixed the period of validity of the export licence for products falling within heading No 11.07 of the Common Customs Tariff until the end of the eleventh month following that of issue;

Whereas experience has shown that speculative use may be made of a long period of validity; whereas the period of validity for the abovementioned products should therefore be made the same as for the other products processed from cereals; whereas, however, in accordance with international practice, a large proportion of delivery contracts are concluded for at least a year; whereas, in order to enable malt exporters to continue to conclude such contracts, provision should be made for a longer period of validity, provided that certain conditions are fulfilled;

Whereas the measures provided for in this Regulation are not in accordance with the opinion of the Management Committee for Cereals; whereas such measures, in accordance with Article 26 (3) of Council Regulation (EEC) No 2727/75 must be communicated to the Council forthwith after their adoption,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 9a is hereby added to Regulation (EEC) No 2042/75:

'*Article 9a*

By way of derogation from Article 9, the export licence for products falling within heading No 11.07 of the Common Customs Tariff shall be valid from the day of its issue, within the meaning of Article 9 (1) of Regulation (EEC) No 193/75, until the end of the eleventh month following, where such licence is requested for the purposes of export to a specific country of destination. In that event, the destination shall be indicated in section 13 of the licence, the issue of which shall carry the obligation to export to that country.

By way of derogation from Article 3 of Regulation (EEC) No 193/75, the rights deriving from the licence referred to in the preceding subparagraph shall not be transferable'.

Article 2

Article 12 (1) (d) of Regulation (EEC) No 2042/75 is hereby amended to read as follows:

'(d) 8 units of account per metric ton for export licences for products as specified in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 of Regulation No 359/67/EEC in respect of which the export refund or levy is fixed in advance.

However, in the case of licences issued in accordance with Article 9a, the security shall be 50 % of the amount of the export refund or levy valid on the day on which the application for the licence was submitted, with a minimum of 20 units of account per metric ton. In such cases, by way of derogation from Article 17 (2) of Regulation (EEC) No 193/75, the security shall be released only on production of proof that the product has been imported into the relevant non-member country of destination. Such proof shall be furnished in accordance with Article 11 (1) of Regulation (EEC) No 192/75'.

Article 3

Annex II to Regulation (EEC) No 2042/75 is hereby replaced by the Annex to this Regulation.

Article 4

This Regulation shall enter into force one month after its communication to the Council [5].

[1] OJ No L 281, 1. 11. 1975, p. 1.
[2] OJ No L 306, 26. 11. 1975, p. 3.
[3] OJ No L 213, 11. 8. 1975, p. 5.
[4] OJ No L 84, 31. 3. 1976, p. 25.

[5] This communication to the Council was made on 17 May 1976.

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

Done at Brussels, 17 May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

PERIOD OF VALIDITY OF EXPORT LICENCES

A. For cereals

CCT heading No	Description of goods	Period of validity
10.01 A	Common wheat and meslin	30 days
10.02	Rye	90 days
10.03	Barley	30 days
10.04	Oats	90 days
10.05 B	Maize other than hybrid maize for sowing	30 days
10.07	Buckwheat, millet, canary seed and grain sorghum ; other cereals	90 days
10.01 B	Durum wheat	90 days
11.01 A	Wheat or meslin flour	Until the end of the fourth month following that of issue
11.01 B	Rye flour	
11.02 A I	Wheat groats and meal (common wheat and durum wheat)	
11.01 E	Maize flour	Until the end of the second month following that of issue
11.02 A V	Maize groats and meal	
11.07	Malt	Until the end of the fourth month following that of issue
	Other products listed in Article 1 of Regulation (EEC) No 2727/75	Until the end of the third month following that of issue

B. For rice

10.06 A I	Paddy rice	90 days
10.06 A II	Husked rice	
10.06 B	Semi-milled or wholly milled rice	
10.06 C	Broken rice	30 days
11.01 F	Rice flour	Until the end of the third month following that of issue
11.02 A VI	Rice groats and meal	
11.02 E II e) 1	Flaked rice	
11.02 F VI	Rice pellets	
11.08 A II	Rice starch	