COUNCIL REGULATION (EEC) No 1381/76

of 16 June 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 COUNCIL 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 last amended by Regulation (EEC) No 1143/76 (2), and in particular Article 12 (2) and the second subparagraph of Article 26 (3) 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), stipulates that the export licence for products falling within heading No 11.07 of the Common Customs Tariff is valid until the end of the 11th 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 aligned with that 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 Commission adopted measures which were not in accordance with the opinion of the Management Committee for Cereals ; whereas, in accordance with the first subparagraph of Article 26 (3) of Regulation (EEC) No 2727/75, these measures had therefore to be communicated to the Council immediately after their adoption ;

Whereas it has proved necessary to amend the measures proposed by the Commission, in particular as regards the destination of the exports and the period within which the destination must be indicated on the export licence and also as regards the amount of the security in the case of licences having a long period of validity,

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 130, 19. 5. 1976, p. 1.
(3) OJ No L 213, 11. 8. 1975, p. 5.
(4) OJ No L 84, 31. 3. 1976, p. 25.

HAS ADOPTED THIS REGULATION :

Article 1

The following Article shall be 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, where it is requested for the purposes of export to a subzone defined in Regulation (EEC) No 306/76 or, in the case of Europe, a third country of destination, including Malta, Turkey and the Soviet Union, be valid for the day of its issue, within the meaning of Article 9 (1) of Regulation (EEC) No 193/75, until the end of the 11th month following that of issue. 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 subzone or, where appropriate, country.

This subzone or country of destination must be indicated not later than two months following the issue of the licence.

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 shall be replaced by the following :

'(d) Eight units of account per metric ton for export licences for products 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 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 subzone or European third 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

In accordance with the second subparagraph of Article 26 (3) of Regulation (EEC) No 2727/75, this Regulation shall replace Commission Regulation (EEC) No 1157/76 [1].

Article 5

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

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

Done at Brussels, 16 June 1976.

For the Council

The President

G. THORN

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[1] OJ No L 130, 19. 5. 1976, p. 32.

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 second 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 fourth 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	