COMMISSION REGULATION (EEC) No 2137/76

of 31 August 1976

fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976, on the common organization of the market in rice [1], and in particular Article 11 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas, in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1976/77 marketing year by Regulations (EEC) No 1427/76 [2], (EEC) No 1778/76 [3] and (EEC) No 1922/76 [4];

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Regulation (EEC) No 1613/71 [5], as last amended by Regulation (EEC) No 3320/75 [6], and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Regulation (EEC) No 1423/76 [7], or whether adjustments need to be made by applying the corrective amounts provided for in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto;

Whereas, furthermore, in the case of round-grained and long-grained husked rice and round-grained and long-grained wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing [8], as last amended by Regulation (EEC) No 1484/75 [9], should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case to adjust the offers so as to conform with the value of one kilogramme of broken rice as fixed by Regulation No 467/67/EEC, as amended by Regulation (EEC) No 1808/74; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is caluclated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States

(1) OJ No L 166, 25. 6. 1976, p. 1.
(2) OJ No L 166, 25. 6. 1976, p. 29.
(3) OJ No L 199, 24. 7. 1976, p. 7.
(4) OJ No L 210, 4. 8. 1976, p. 9.
(5) OJ No L 168, 27. 7. 1971, p. 28.
(6) OJ No L 328, 20. 12. 1975, p. 32.
(7) OJ No L 166, 25. 6. 1976, p. 20.
(8) OJ No 204, 24. 8. 1967, p. 1.
(9) OJ No L 150, 11. 6. 1975, p. 7.

or of the 'overseas countries and territories', the levy relating to them must, pursuant to Regulation (EEC) No 706/76 (1), be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas the levy must be further reduced in the case of semi-milled and wholly milled rice; whereas the charging of this levy is subject to conditions, some of which are set out in Article 9 of Council Regulation (EEC) No 706/76 of 30 March 1976;

Whereas Council Regulation (EEC) No 1553/71 of 19 July 1971 (2) altered the definitions given in Annex A to Regulation (EEC) No 1418/76 and incorporated in supplementary notes Nos 2 and 3E to Chapter 10 of the Common Customs Tariff;

Whereas, in accordance with Article 20 (1) of Regulation (EEC) No 1418/76, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least one unit of account per metric ton in the amount of the levy in force;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2·25 %, a rate of exchange based on their effective parity;

— for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

Whereas it follows from applying all the abovementioned provisions that the levies should be fixed as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 are hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 September 1976.

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

Done at Brussels, 31 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No L 85, 31. 3. 1976, p. 2.
(2) OJ No L 164, 22. 7. 1971, p. 5.

ANNEX

to the Commission Regulation of 31 August 1976 fixing the import levies on rice and broken rice

(u.a. / metric ton)

CCT heading No	Description of goods	Third countries	ACP and OCT (1) (2)
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	105·85	49·93
	b) Long grain	104·17	49·09
	II. Husked rice :		
	a) Round grain	132·31	63·16
	b) Long grain	130·21	62·11
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	154·29	67·25
	b) Long grain	231·19	105·73
	II. Wholly milled rice :		
	a) Round grain	164·32	71·91
	b) Long grain	247·84	113·67
	C. Broken rice :	63·83	29·42

(1) Subject to the application of the provisions of Article 9 of Regulation (EEC) No 706/76.

(2) In accordance with Regulation (EEC) No 706/76 provides that the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.