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COMMISSION REGULATION (EC) No 965/2006

of 29 June 2006

amending Regulation (EC) No 327/98 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice

(OJ L 176, 30.6.2006, p. 12)

Corrected by:

►**C1** Corrigendum, OJ L 255, 19.9.2006, p. 7 (965/2006)

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COMMISSION REGULATION (EC) No 965/2006

of 29 June 2006

amending Regulation (EC) No 327/98 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice [1], and in particular Articles 10(2) and 11(4) thereof,

Whereas:

(1) The Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union [2], approved by Council Decision 2006/324/EC [3], provides for an increase in the current annual global tariff quota at zero duty for wholly milled and semi-milled rice covered by CN code 1006 30 of 25 516 tonnes for all origins and of 1 200 tonnes for Thailand. It also provides for the opening of a new zero-duty tariff quota of 31 788 tonnes of broken rice covered by CN code 1006 40 for all origins.

(2) The above Decision also provides for new quotas at 15 % duty valid for all origins of 7 tonnes of paddy rice covered by CN code 1006 10 and 1 634 tonnes of husked rice covered by CN code 1006 20.

(3) For the sake of simplification and given the small volume of the paddy rice quota provided for in Decision 2006/324/EC, that quota should be managed in accordance with Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code [4].

(4) The quota of 20 000 tonnes of husked rice covered by CN code 1006 20 at a duty of EUR 88 per tonne provided for in Article 1 of Commission Regulation (EC) No 327/98 [5] has become obsolete as a result of the amendment of the duty applicable to husked rice laid down in Article 11a of Regulation (EC) No 1785/2003. That quota should therefore be abolished.

(5) In order not to disturb the normal marketing of rice produced in the Community the quotas should be opened in such a way that the imports can be better absorbed by the Community market. In particular, where the application of a reduction percentage would

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[1] OJ L 270, 21.10.2003, p. 96. Regulation as last amended by Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).
[2] OJ L 120, 5.5.2006, p. 19.
[3] OJ L 120, 5.5.2006, p. 17.
[4] OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 402/2006 (OJ L 70, 9.3.2006, p. 35).
[5] OJ L 37, 11.2.1998, p. 5. Regulation as last amended by Regulation (EC) No 2152/2005 (OJ L 342, 24.12.2005, p. 30).

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give rise to the allocation of licences for quantities of less than 20 tonnes and Member States organise that allocation by drawing lots, provision should be made for the redistribution by the competent national authorities of the remaining quantities with a view to utilising the quota to the maximum possible extent and avoiding the allocation of very small quantities. For the same reasons, provision should also be made for redistribution in cases where the application of a reduction percentage fails to result in the constitution of a lot of 20 tonnes.

(6) To ensure the proper management of the quotas, provision should be made for the compulsory presentation of a certificate of origin when the quota is opened for a specific country and an export licence issued by that country is not required.

(7) Regulation (EC) No 327/98 should be amended accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 327/98 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

1. The following annual global tariff quotas are hereby opened on 1 January each year:

(a) 63 000 tonnes of wholly milled or semi-milled rice covered by CN code 1006 30, at zero duty;

(b) 1 634 tonnes of husked rice covered by CN code 1006 20 at an *ad valorem* duty fixed at 15 %;

(c) 100 000 tonnes of broken rice covered by CN code 1006 40 00, with a reduction of 30,77 % in the duty fixed in Article 11d of Council Regulation (EC) No 1785/2003 (*);

(d) 40 216 tonnes of wholly milled or semi-milled rice covered by CN code 1006 30, at zero duty;

(e) 31 788 tonnes of broken rice covered by CN code 1006 40 00, at zero duty.

These quotas shall be managed in accordance with this Regulation and broken down by country of origin and by periodical tranches in accordance with Annex IX. However, for 2006 they shall be broken down in accordance with Annex X.

2. An annual quota of 7 tonnes of paddy rice covered by CN code 1006 10, at an *ad valorem* duty fixed at 15 %, shall be opened on 1 January each year under serial number 09.0083.

It shall be managed by the Commission in accordance with Articles 308a to 308c of Regulation (EEC) No 2454/93 (**).

(*) OJ L 270, 21.10.2003, p. 96.
(**) OJ L 253, 11.10.1993, p. 1.'

2. In Article 3, 'Article 1(1)(a), (b) and (c)' is replaced by 'Article 1(1)(a) and (c)'.

3. Article 4 is amended as follows:

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(a) In the third indent of paragraph 2, ‘Article 1(1)(c)’ is replaced by ‘Article 1(1)(c) and (e)’;

(b) In paragraph 4, the following point (e) is added:

‘(e) in the case of the quota referred to in Article 1(1)(e), one of the indications in Annex XI’;

(c) In paragraph 5, the third indent is replaced by the following:

‘— if no export licence is required applicants may submit a single application up to the maximum quantity laid down for each tranche and serial number.’

4. Article 5(3) is replaced by the following:

‘3. If the reduction referred to in the first indent of paragraph 2 results in one or more quantities of less than 20 tonnes per application, Member States shall allocate the total of such quantities by drawing lots for each lot of 20 tonnes, plus the remaining quantity equally distributed between the 20-tonne lots.

However, where adding together the quantities of less than 20 tonnes does not result in the constitution of a 20-tonne lot the remaining quantity shall be distributed by the Member State equally between the operators whose licence is for 20 tonnes or more.’

5. In the first subparagraph of Article 6(1), ‘Article 5(2)’ is replaced by ‘Article 5(2) and (3)’.

6. Article 7 is amended as follows:

(a) Paragraph 4 is replaced by the following:

‘4. Notwithstanding Article 6(1) of Regulation (EC) No 1342/2003 (*) and pursuant to Article 23(2) of Regulation (EC) No 1291/2000 (**), import licences for husked, semi-milled and wholly milled rice shall be valid from the date of their actual issue until the end of the third month following that date.

However, the duration of validity of the import licences may not exceed 31 December of the year of issue.

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(*) OJ L 189, 29.7.2003, p. 12.
(**) OJ L 152, 24.6.2000, p. 1.’

(b) The following paragraph 5 is added:

‘5. Under the quotas referred to in Article 1(1), the release of the products into free circulation in the Community shall be subject to the presentation of a certificate of origin issued by the competent national authorities of those countries in accordance with Article 47 of Regulation (EEC) No 2454/93.

►C1 However, in respect of those parts of the quotas relating to countries for which an export licence is required in accordance with Article 3 of this Regulation or in respect of quotas the origin of which is described as “all countries”, a certificate of origin is not required. ◄’

7. Annex VI is replaced by the text of Annex I to this Regulation.

8. Annexes IX and X are replaced by the text of Annex II to this Regulation.

9. The text of Annex III to this Regulation is added as Annex XI.

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Article 2

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

It shall apply from 1 July 2006, with the exception of Article 1(6), which shall apply from 1 January 2007.

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

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ANNEX I

'ANNEX VI

Indications referred to in Article 4(4)(b)

— *Spanish:* Derechos de aduana limitados al 15 % *ad valorem* hasta la cantidad indicada en las casillas 17 y 18 del presente certificado [Reglamento (CE) nº 327/98]

— *Czech:* Cla omezená na valorickou sazbu ve výši 15 % až do množství uvedeného v kolonkách 17 a 18 této licence (nařízení (ES) č. 327/98)

— *Danish:* Toldsatsen begrænses til 15 % af værdien op til den mængde, der er angivet i rubrik 17 og 18 i denne licens (forordning (EF) nr. 327/98)

— *German:* Zollsatz beschränkt auf 15 % des Zollwerts bis zu der in den Feldern 17 und 18 dieser Lizenz angegebenen Menge (Verordnung (EG) Nr. 327/98)

— *Estonian:* Väärtuseline tollimaks piiratud 15 protsendini käesoleva sertifikaadi lahtrites 17 ja 18 märgitud kogusteni (määrus (EÜ) nr 327/98)

— *Greek:* Τελωνειακός δασμός κατ' ανώτατο όριο 15 % κατ' αξία έως την ποσότητα που ορίζεται στα τετραγωνίδια 17 και 18 του παρόντος πιστοποιητικού [κανονισμός (ΕΚ) αριθ. 327/98]

— *English:* Customs duties limited to 15 % *ad valorem* up to the quantity indicated in boxes 17 and 18 of this licence (Regulation (EC) No 327/98)

— *French:* Droits de douane limités à 15 % ad valorem jusqu'à la quantité indiquée dans les cases 17 et 18 du présent certificat [règlement (CE) nº 327/98]

— *Italian:* Dazio limitato al 15 % ad valorem fino a concorrenza del quantitativo indicato nelle caselle 17 e 18 del presente titolo [regolamento (CE) n. 327/98]

— *Latvian:* Muitas nodoklis 15 % *ad valorem* par daudzumu, kas norādīts šīs atļaujas (Regula (EK) Nr. 327/98) 17. un 18. ailē

— *Lithuanian:* Ne didesnis nei 15 % muitas *ad valorem* neviršijant šios licencijos 17 ir 18 langeliuose nurodyto kiekio (Reglamentas (EB) Nr. 327/98)

— *Hungarian:* 15 %-os értékvám az ezen engedély 17. és 18. rovatában feltüntetett mennyiségig (327/98/EK rendelet)

— *Maltese:* Id-dazji doganali huma stipulati għal 15 % *ad valorem* sal-kwantità indicata fil-kaxxi 17 u 18 ta' din il-liċenzja (Regolament (KE) Nru 327/98)

— *Dutch:* Douanerecht beperkt tot 15 % ad valorem voor hoeveelheden die niet groter zijn dan de in de vakken 17 en 18 van dit certificaat vermelde hoeveelheid (Verordening (EG) nr. 327/98)

— *Polish:* Cło ograniczone do 15 % *ad valorem* do ilości wskazanej w polach 17 i 18 niniejszego pozwolenia (rozporządzenie (WE) nr 327/98)

— *Portuguese:* Direito aduaneiro limitado a 15 % *ad valorem* até à quantidade indicada nas casas 17 e 18 do presente certificado [Regulamento (CE) n.º 327/98]

— *Slovak:* Clá znížené na 15 % *ad valorem* až po množstvo uvedené v kolónkach 17 a 18 tejto licencie [nariadenie (ES) č. 327/98]

— *Slovene:* Carinska dajatev, omejena na 15 % *ad valorem* do količine, navedene v rubrikah 17 in 18 tega dovoljenja (Uredba (ES) št. 327/98)

— *Finnish:* Arvotulli rajoitettu 15 prosenttiin tämän todistuksen 17 ja 18 artiklassa ilmoitettuun määrään asti (asetus (EY) N:o 327/98)

— *Swedish:* Tull begränsad till 15 % av värdet upp till den kvantitet som anges i fält 17 och 18 i den här licensen (förordning (EG) nr 327/98)'

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ANNEX II

'ANNEX IX

Quotas and tranches with effect from 2007

(a) Quota of 63 000 tonnes of wholly milled or semi-milled rice covered by CN code 1006 30 as provided for in Article 1(1)(a):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)				
			January	April	July	September	October
United States of America	38 721	09.4127	9 681	19 360	9 680	—	
Thailand	21 455	09.4128	10 727	5 364	5 364	—	
Australia	1 019	09.4129	0	1 019	—	—	
Other origins	1 805	09.4130	0	1 805	—	—	
All countries		09.4138					(1)
Total	63 000	—	20 408	27 548	15 044	—	

(1) Remaining quantity not used in previous tranches published by Commission Regulation.

(b) Quota of 1 634 tonnes of husked rice covered by CN code 1006 20 as provided for in Article 1(1)(b):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)		
			January	July	October
All countries	1 634	09.4148	1 634	—	(1)
Total	1 634	—	1 634	—	

(1) Remaining quantity not used in previous tranches published by Commission Regulation.

(c) Quota of 100 000 tonnes of broken rice covered by CN code 1006 40 00 as provided for in Article 1(1)(c):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)	
			January	July
Thailand	52 000	09.4149	36 400	15 600
Australia	16 000	09.4150	8 000	8 000
Guyana	11 000	09.4152	5 500	5 500
United States of America	9 000	09.4153	4 500	4 500
Other origins	12 000	09.4154	6 000	6 000
Total	100 000	—	60 400	39 600

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(d) Quota of 40 216 tonnes of wholly milled or semi-milled rice covered by CN code 1006 30 as provided for in Article 1(1)(d):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)		
			January	July	September
Thailand	5 513	09.4112	5 513	—	—
United States of America	2 388	09.4116	2 388	—	—
India	1 769	09.4117	1 769	—	—
Pakistan	1 595	09.4118	1 595	—	—
Other origins	3 435	09.4119	3 435	—	—
All countries	25 516	09.4166	8 505	17 011	—
Total	40 216	—	23 205	17 011	—

(e) Quota of 31 788 tonnes of broken rice covered by CN code 1006 40 00 as provided for in Article 1(1)(e):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)	
			September	October
All countries	31 788	09.4168	31 788	(1)
Total	31 788	—	31 788	

(1) Remaining quantity not used in previous tranches published by Commission Regulation.

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ANNEX X

Quotas and tranches for 2006

(a) Quota of 63 000 tonnes of wholly milled or semi-milled rice covered by CN code 1006 30 as provided for in Article 1(1)(a):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)				
			January	April	July	September	October
United States of America	38 721	09.4127	9 681	19 360	9 680	—	
Thailand	21 455	09.4128	10 727	5 364	5 364	—	
Australia	1 019	09.4129	0	1 019	—	—	
Other origins	1 805	09.4130	0	1 805	—	—	
All countries		09.4138					(1)
Total	63 000	—	20 408	27 548	15 044	—	

(1) Remaining quantity not used in previous tranches published by Commission Regulation.

(b) Quota of 1 634 tonnes of husked rice covered by CN code 1006 20 as provided for in Article 1(1)(b):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)	
			July	October
All countries	1 634	09.4148	1 634	(1)
Total	1 634	—	1 634	

(1) Remaining quantity not used in previous tranches published by Commission Regulation.

(c) Quota of 106 667 tonnes of broken rice as covered by CN code 1006 40 00 provided for in Article 1(1)(c):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)	
			January	July
Thailand	55 467	09.4149	38 827	16 640
Australia	17 067	09.4150	8 533	8 534
Guyana	11 733	09.4152	5 866	5 867
United States of America	9 600	09.4153	4 800	4 800
Other origins	12 800	09.4154	6 400	6 400
Total	106 667	—	64 426	42 241

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(d) Quota of 44 716 tonnes of wholly milled or semi-milled rice covered by CN code 1006 30 as provided for in Article 1(1)(d):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)		
			January	July	September
Thailand	6 950	09.4112	5 750	1 200	—
United States of America	3 184	09.4116	3 184	—	—
India	2 358	09.4117	2 358	—	—
Pakistan	2 128	09.4118	2 128	—	—
Other origins	4 580	09.4119	4 580	—	—
All countries	25 516	09.4166		25 516	—
Total	44 716	—	18 000	26 716	—

(e) Quota of 31 788 tonnes of broken rice covered by CN code 1006 40 00 as provided for in Article 1(1)(e):

Origin	Quantity (tonnes)	Serial number	Tranches (quantities in tonnes)	
			September	October
All countries	31 788	09.4168	31 788	(1)
Total	31 788	—	31 788	

(1) Remaining quantity not used in previous tranches published by Commission Regulation.'

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ANNEX III

'ANNEX XI

Indications referred to in Article 4(4)(e):

— *Spanish:* Exención del derecho de aduana hasta la cantidad indicada en las casillas 17 y 18 del presente certificado [Reglamento (CE) nº 327/98, artículo 1, apartado 1, letra e)]

— *Czech:* Osvobození od cla až do množství uvedeného v kolonkách 17 a 18 této licence (nařízení (ES) č. 327/98, čl. 1 odst. 1 písm. e))

— *Danish:* Toldfri op til den mængde, der er angivet i rubrik 17 og 18 i denne licens (forordning (EF) nr. 327/98, artikel 1, stk. 1, litra e))

— *German:* Zollfrei bis zu der in den Feldern 17 und 18 dieser Lizenz angegebenen Menge (Verordnung (EG) Nr. 327/98, Artikel 1 Absatz 1 Buchstabe e)

— *Estonian:* Tollimaksuvabastus kuni käesoleva litsentsi lahtrites 17 ja 18 näidatud koguseni (määruse (EÜ) nr 327/98 artikli 1 lõike 1 punkt e))

— *Greek:* Απαλλαγή από τον τελωνειακό δασμό έως την ποσότητα που αναγράφεται στα τετραγωνίδια 17 και 18 του παρόντος πιστοποιητικού [κανονισμός (ΕΚ) αριθ. 327/98, άρθρο 1 παράγραφος 1 στοιχείο ε)]

— *English:* Exemption from customs duty up to the quantity indicated in boxes 17 and 18 of this licence (Regulation (EC) No 327/98, Article 1(1)(e))

— *French:* Exemption du droit de douane jusqu'à la quantité indiquée dans les cases 17 et 18 du présent certificat [règlement (CE) nº 327/98, article 1er, paragraphe 1, point e)]

— *Italian:* Esenzione dal dazio doganale fino a concorrenza del quantitativo indicato nelle caselle 17 e 18 del presente titolo [regolamento (CE) n. 327/98, articolo 1, paragrafo 1, lettera e)]

— *Latvian:* Atbrīvojumi no muitas nodokļa līdz šīs atļaujas 17. un 18. ailē norādītajam daudzumam (Regulas (EK) Nr. 327/98 1. panta 1. punkta e) apakšpunkts)

— *Lithuanian:* Atleidimas nuo muito mokesčio neviršijant šios licencijos 17 ir 18 langeliuose nurodyto kiekio (Reglamentas (EB) Nr. 327/98, 1 straipsnio 1 dalies e) punktas)

— *Hungarian:* Vámmentes az ezen engedély 17. és 18. rovatában feltüntetett mennyiségig (327/98/EK rendelet 1. cikk (1) bekezdés e) pont)

— *Maltese:* Eżenzjoni tad-dazju tad-dwana sal-kwantità indikata fil-każi 17 u 18 taċ-ċertifikat preżenti (Regolament (KE) Nru 327/98, Artikolu 1, paragrafu 1, punt e))

— *Dutch:* Vrijstelling van douanerecht voor hoeveelheden die niet groter zijn dan de in de vakken 17 en 18 van dit certificaat vermelde hoeveelheid (artikel 1, lid 1, onder e), van Verordening (EG) nr. 327/98)

— *Polish:* Zwolnienie z cła ilości do wysokości wskazanej w sekcjach 17 i 18 niniejszego pozwolenia (rozporządzenie (WE) nr 327/98, art. 1 ust. 1 lit. e))

— *Portuguese:* Isenção do direito aduaneiro até à quantidade indicada nas casas 17 e 18 do presente certificado [Regulamento (CE) n.º 327/98, alínea e) do n.º 1 do artigo 1.º]

— *Slovak:* Oslobodenie od cla až po množstvo uvedené v kolónkach 17 a 18 tejto licencie [článok 1 ods. 1 písm. e) nariadenia (ES) č. 327/98]

— *Slovene:* Oprostitev carinske dajatve do količine, navedene v poljih 17 in 18 tega dovoljenja (Uredba (ES) št. 327/98, člen 1(1)(e))

— *Finnish:* Tullivapaa tämän todistuksen 17 ja 18 artiklassa ilmoitettuun määrään asti (asetuksen (EY) N:o 327/98 1 artiklan 1 kohdan e) alakohta)

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— *Swedish:* Tullfri upp till den mängd som anges i fälten 17 och 18 i denna licens (Förordning (EG) nr 327/98, artikel 1.1 e))’