Commission Regulation (EC) No 2019/2006 of 21 December 2006 amending Regulations (EC) Nos 2058/96, 327/98 and 955/2005 opening and providing for the administration of tariff quotas for imports of rice

COMMISSION REGULATION (EC) No 2019/2006

of 21 December 2006

amending Regulations (EC) Nos 2058/96, 327/98 and 955/2005 opening and providing for the administration of tariff quotas for imports of rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations[(1)], and in particular Article 1 thereof,

Having regard to Council Decision 96/317/EC of 13 May 1996 concerning the conclusion of the results of consultations with Thailand under GATT Article XXIII[(2)], and in particular Article 3 thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice[(3)], and in particular Articles 10(2) and 13(1) thereof,

Whereas:

(1) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences[(4)] applies to import licences for tariff quota periods starting from 1 January 2007.

(2) Regulation (EC) No 1301/2006 lays down in particular detailed rules for applications for import licences, the status of applicants and the issue of licences. It limits the period of validity of import licences to the final day of the tariff quota period and applies without prejudice to additional conditions or derogations laid down by the sectoral regulations.

(3) Commission Regulations (EC) Nos 2058/96 of 28 October 1996 opening and providing for the management of a tariff quota for broken rice of CN code 1006 40 00 for production of food preparations of CN code 1901 10[(5)], 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice[(6)] and 955/2005 of23 June 2005 opening a Community import quota for rice originating in Egypt[(7)] contain provisions which diverge from or repeat the common rules laid down by Regulation (EC) No 1301/2006. Those Regulations should therefore be amended with a view to removing the differing or redundant rules, specifying the serial numbers of each quota and subquota and redefining the specific rules which apply,

in particular to the drawing up of licence applications, their issue, their period of validity and the notification of information to the Commission.

(4) In the interests of harmonising and simplifying the above Regulations, provisions which are already contained in the horizontal or sectoral implementing regulations, that is, apart from Regulation (EC) No 1301/2006, Commission Regulations (EC) Nos 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products[8], and 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice[9], should be deleted, as should provisions which no longer apply.

(5) In the interests of simplification, provision should be made for quantities of less than 20 tonnes allocated following the application of an award coefficient to be administered in the same way in Regulations (EC) Nos 2058/96, 327/98 and 955/2005.

(6) In the interests of improved administration of the tariff quotas opened by Regulations (EC) Nos 2058/96 and 955/2005, it is necessary to continue to allow operators to submit more than one licence application per quota period, and therefore to derogate from Article 6(1) of Regulation (EC) No 1301/2006. Moreover, in order to improve controls on these two quotas and to harmonise and simplify their administration, provision should be made for import licence applications to be submitted on a weekly basis.

(7) The import duty on broken rice is laid down in Article 11d of Regulation (EC) No 1785/2003; therefore reference should no longer be made to the combined nomenclature and Regulation (EC) No 2058/96 should be amended accordingly.

(8) For those quotas opened by Regulation (EC) No 327/98 which are administered on the basis of an export certificate, it is necessary to continue to allow operators with more than one export certificate to submit more than one import licence application per quota subperiod, and therefore to derogate from Article 6(1) of Regulation (EC) No 1301/2006, in order to ensure controls adapted to such imports. The amount of the security relating to the import licences for husked rice provided for in Article 4 of Regulation (EC) No 327/98 should moreover be aligned with the amount of the security provided for in Article 12 of Regulation (EC) No 1342/2003.

(9) With regard to Regulation (EC) No 955/2005, the references to Regulation (EC) No 1785/2003 should be made clearer and it should be specified that the period of validity of the licence is calculated from the actual day of issue of the licence.

(10) These measures should be applied from 1 January 2007, which is the date from which the measures provided for in Regulation (EC) No 1301/2006 apply.

(11) However, the period for lodging the first applications referred to in Regulations (EC) Nos 2058/96 and 955/2005 falls on a public holiday in 2007; it should therefore be laid down that the first applications may be lodged by operators only from the first working day of 2007, and that this first period for lodging applications closes no later than Monday 8 January 2007. It should also be specified that import licence applications for this first period should be sent to the Commission no later than Monday 8 January 2007.

(12) Regulations (EC) Nos 2058/96, 327/98 and 955/2005 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

[F1]Article 1

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Textual Amendments

F1 Deleted by Commission Implementing Regulation (EU) No 480/2012 of 7 June 2012 opening and providing for the management of a tariff quota for broken rice of CN code 10064000 for production of food preparations of CN code 19011000 (codification).

[F2]Article 2

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Textual Amendments

F2 Deleted by Commission Implementing Regulation (EU) No 1273/2011 of 7 December 2011 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice (codification).

Article 3

Regulation (EC) No 955/2005 is hereby amended as follows:

1. Article 1 is amended as follows:

   (a) in the first paragraph, ‘in accordance with Article 11 of Regulation (EC) No 1785/2003’ is replaced by ‘in accordance with Articles 11, 11a, 11c and 11d of Regulation (EC) No 1785/2003’;

   (b) the second paragraph is deleted;

   (c) the following paragraph is added after the new second paragraph:

   > Commission Regulations (EC) Nos 1291/2000, 1342/2003 and 1301/2006[(10)] shall apply to the quota referred to in the first paragraph, save as otherwise provided for in this Regulation.

2. Article 2 is amended as follows:

   (a) paragraph 2 is deleted;

   (b) paragraph 3 is replaced by the following:

   > 3. Notwithstanding Article 6(1) of Regulation (EC) No 1301/2006, applicants may submit more than one licence application per quota period. However, applicants may submit only one licence application per week for each eight-digit CN code.