

**REGULATION (EEC) No 540/70 OF THE COUNCIL**

of 20 March 1970

on the treatment to be accorded to rice and broken rice originating in the Associated African States and Madagascar or in the Overseas Countries and Territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament<sup>1</sup>;

Whereas the Convention of Association between the European Economic Community and the Associated African States and Madagascar, signed on 29 July 1969, provides that, for those agricultural products covered by a common organization of the market which the Associated States have an economic interest in exporting, the Community shall determine the treatment to be accorded to imports of products originating in these States, this treatment to be more favourable than the general treatment applied to like products originating in third countries;

Whereas the Decision to be adopted by the Council on the Association to the Overseas Countries and Territories with the European Economic Community must make identical provision for agricultural products originating in those Countries and Territories;

Whereas Council Regulation No 359/67/EEC<sup>2</sup> of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 2463/69<sup>3</sup>, introduced a system of levies on imports into the Community;

Whereas the Community's obligation towards the Associated States, Countries and Territories may be fulfilled by introducing a special import system under which the import levy on rice and broken rice originating in those States, Countries and Territories would be reduced in certain circumstances; whereas provision should also be made for a further reduc-

tion in the levy thus established to favour imports of rice and broken rice from these sources;

Whereas it must be possible to apply those measures until 31 January 1975, the date on which the Convention of 29 July 1969 will expire if it enters into force not later than 1 January 1971;

Whereas the Associated States have been consulted,

HAS ADOPTED THIS REGULATION:

*Article 1*

The levy on imports of rice or broken rice originating in the Associated African States and Madagascar or in the Overseas Countries and Territories shall be equal, per 100 kilogrammes of product, to the levy on imports of rice or broken rice from third countries, reduced:

- (a) for husked rice:
  - by 45%, and
  - by 0.30 unit of account;
- (b) for paddy rice:
  - by 45%, and
  - by 0.24 unit of account;
- (c) for fully milled rice:
  - by the amount for the protection of the industry referred to in Article 14 (3) of Regulation No 359/67/EEC,
  - by 45% of the levy thus reduced, and
  - by 0.39 unit of account;
- (d) for undermilled rice:
  - by the amount for the protection of the industry referred to in Article 14 (3) of Regulation No 359/67/EEC converted on the basis of the conversion rate between fully-milled rice and undermilled rice referred to in the third indent of Article 19(a) of that Regulation,

<sup>1</sup> OJ No C 139, 28.10.1969, p. 51.

<sup>2</sup> OJ No 174, 31.7.1967, p. 1.

<sup>3</sup> OJ No L 312, 12.12.1969, p. 3.

- by 45% of the levy thus reduced, and
- by 0.37 unit of account;

(e) for broken rice:

- by 45%, and
- by 0.22 unit of account.

#### Article 2

1. The provisions of Article 1 shall not apply unless, at the time of exportation, the cif export price for a given lot, increased by the levy applicable to imports of rice or broken rice originating in the Associated African States and Madagascar or in the Overseas Countries and Territories, is not less than:

- for husked rice, milled rice and broken rice, the threshold price for each of these products less 0.30, 0.39 and 0.22 unit of account respectively;
- for paddy rice, the threshold price for husked rice adjusted on the basis of the conversion rate, processing costs and the value of the by-products to be taken into consideration for the purpose of converting from the husked stage to the paddy stage, less 0.24 unit of account;
- for undermilled rice, the threshold price for milled rice adjusted on the basis of the conversion rate, processing costs and the value of the by-products to be taken into consideration for the purpose of converting from the round-grained, milled stage to the round-grained, undermilled stage, less 0.37 unit of account.

2. To permit the necessary control to be effected, the documents accompanying the goods must indicate the cif price at which the product is sold, the date of exportation and any other information which will make it possible to identify the product. This document must be countersigned by the competent authorities of the exporting State, country or territory.

#### Article 3

1. The provisions of Article 13 (2) of Regulation No 359/67/EEC shall not apply to the levies referred to in Article 1 to be charged on imports of rice and broken rice originating in the Associated African

States and Madagascar or the Overseas Countries and Territories.

2. However, if the applicant so requests when applying for the licence referred to in Article 10 (1) of that Regulation, the levy applicable on the day of exportation shall be applied to such imports effected during the period of validity of the licence.

#### Article 4

If, in any one year, imports into the Community of rice and broken rice originating in an associated State, country or territory exceed annual average imports into the Community from that source over the last three years for which statistics are available, plus 5%, application of the provisions of Article 1 shall be totally or partially suspended for products from that source in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC. In this event, the Commission shall submit a report to the Council which shall, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, decide on the treatment to be accorded to the imports in question.

#### Article 5

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC.

#### Article 6

This Regulation shall enter into force on 1 June 1970.

It shall apply until 31 December 1970.

It shall, however, continue to apply until 31 January 1975 to products originating in the Associated African States and Madagascar or in the Overseas Countries and Territories if the Convention of Association signed at Yaoundé on 29 January 1969 and the Decision to be substituted for the Council Decision of 25 February 1964<sup>1</sup> on the Association of the Overseas Countries and Territories with the Community enter into force not later than 1 January 1971.

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

Done at Brussels, 20 March 1970.

For the Council

The President

P. HARMEL

<sup>1</sup> OJ No 93, 11.6.1964, p. 1472/64.