

COMMISSION REGULATION (EC) No 1964/2006**of 22 December 2006****laying down detailed rules for the opening and administration of an import quota for rice originating in Bangladesh, pursuant to Council Regulation (EEC) No 3491/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3491/90 of 26 November 1990 on imports of rice originating in Bangladesh¹, 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 rice², and in particular Articles 10(2), 11(4) and 13(1) thereof,

Whereas:

- (1) Under Regulation (EEC) No 3491/90, the levy on imports of rice originating in Bangladesh is reduced by 50% plus a standard component varying according to the extent to which the rice is milled, provided that a corresponding tax is paid when the rice is exported from the third country concerned. To this end, for the purposes of application of that Regulation, the changes which have taken place since its adoption should be taken into account, as should the overhaul of the agrimonetary arrangements in 1995.
- (2) Commission Regulation (EEC) No 862/91 of 8 April 1991 laying down detailed rules applying Council Regulation (EEC) No 3491/90 to imports of rice originating in Bangladesh³ has been substantively amended since its adoption. The provisions relating to the quota originating in Bangladesh should, moreover, be harmonised with 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 products⁴, 1342/2003 of 28 July 2003 laying down special

¹ OJ L 337, 4.12.1990, p. 1.

² OJ L 270, 21.10.2003, p. 96. Regulation as amended by Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).

³ OJ L 88, 9.4.1991, p. 7. Regulation as last amended by Regulation (EC) No 1950/2005 (OJ L 312, 29.11.2005, p. 18).

⁴ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1713/2006 (OJ L 321, 21.11.2006, p. 11).

detailed rules for the application of the system of import and export licences for cereals and rice⁵, and 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 licences⁶. Regulation (EC) No 1301/2006 applies to import licences for tariff quota periods starting from 1 January 2007.

- (3) 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. The administration of the Community tariff quota for imports of rice originating in Bangladesh should therefore be adapted by adopting a new regulation applicable from 2007 and repealing Regulation (EEC) No 862/91.
- (4) In the interests of sound administration of the quota, it is necessary 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. The specific rules which apply to the drawing up of licence applications, their issue, their period of validity and the notification of information to the Commission should therefore be laid down, as should suitable administrative measures in order to ensure that the volume of the quota fixed is not exceeded. Moreover, in order to improve controls on the quota and to simplify its administration, provision should be made for import licence applications to be submitted on a weekly basis, and the security should be fixed at a level appropriate to the risks involved.
- (5) 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.
- (6) However, the period for lodging the first applications referred to in this Regulation 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.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

⁵ OJ L 189, 29.7.2003, p. 12. Regulation as last amended by Regulation (EC) No 945/2006 (OJ L 1736, 27.6.2006, p. 12).

⁶ OJ L 238, 31.8.2006, p. 13.

HAS ADOPTED THIS REGULATION:

Article 1

The annual import tariff quota provided for in Article 2(1) of Regulation (EEC) No 3491/90 shall be opened each year on January 1, for a quantity equivalent to 4 000 tonnes of husked rice. The serial number of the quota shall be 09.4517.

Regulations (EC) Nos 1291/2000, 1342/2003 and 1301/2006 shall apply, save as otherwise provided for in this Regulation.

Article 2

1. The certificate of origin referred to in the second indent of Article 1(2) of Regulation (EEC) No 3491/90 (hereinafter “certificate of origin”) shall be drawn up on a form of which a model is set out in Annex I to this Regulation.
2. The certificate of origin shall be valid for 90 days from the date of issue but not later than 31 December of the year of issue.
3. The competent authority for issuing certificates of origin shall be the ‘Export Promotion Bureau of Bangladesh’.

Article 3

1. The proof referred to in the first indent of Article 1(2) of Regulation (EEC) No 3491/90 shall be constituted by the insertion by the competent authorities in Bangladesh of one of the one of the entries shown in Annex II to this Regulation under ‘Remarks’ in the certificate of origin.
2. Where the tax collected by the exporting country is less than the reduction referred to in Article 1(1) of Regulation (EEC) No 3491/90, the reduction shall not exceed the amount collected.

Article 4

1. In addition to fulfilling the other conditions laid down by Community rules, in order to qualify for the arrangements referred to in Article 1 of Regulation (EEC) No 3491/90, the application for an import licence and the import licence itself must contain:
 - (a) in sections 20 and 24, one of the entries shown in Annex III;
 - (b) in section 8, “Bangladesh” and “Yes” marked with a cross.

2. Notwithstanding Article 6(1) of Regulation (EC) No 1301/2006, applicants may submit more than one licence application per quota period. The eight-digit CN code shall be indicated on the application.
3. Import licence applications shall be lodged with the competent authorities of the Member States each week no later than Monday at 13.00 (Brussels time). However, for 2007, the period for lodging the first applications shall begin only on the first working day of 2007 and shall end no later than 8 January 2007, and the first Monday on which import licence applications are to be sent to the Commission in accordance with Article 7(a) shall be Monday 8 January 2007.

Article 5

1. Where the quantities applied for in a given week exceed the quantity available under the quota, the Commission shall fix, no later than the fourth working day following the final day for the submission of applications for that week, an award coefficient to apply to each application for the quantities applied for during that week, reject applications submitted in respect of the following weeks and suspend the issue of import licences until the end of the current year.

If the award coefficient referred to in the first subparagraph 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 among the operators concerned for each quantity of 20 tonnes, with the remainder distributed equally between the 20-tonne quantities. However, where adding together the quantities of less than 20 tonnes does not result in the constitution of a 20-tonne quantity, the remainder shall be distributed by the Member State equally between the operators whose licences are for 20 tonnes or more.

Where, following the application of the second subparagraph, the quantity for which a licence is to be issued is less than 20 tonnes, the licence application may be withdrawn by the operator within two working days following the date of entry into force of the Regulation fixing the award coefficient.

2. The import licence, issued for a quantity not exceeding that entered on the certificate of origin referred to in Article 2, shall oblige the importer to import from Bangladesh.
3. Import licences shall be issued on the eighth working day following the final day for the notification of licence applications to the Commission referred to in Article 7(a).

Article 6

Notwithstanding Article 12 of Regulation (EC) No 1342/2003, the security for the import licences shall be fixed at EUR 30 per tonne for paddy rice falling within CN code 1006 10, with the exception of CN code 1006 10 10.

Article 7

The Member States shall send the Commission, by electronic means:

- (a) on the final day for the submission of licence applications, no later than 18.00 (Brussels time), the information on the import licence applications referred to in Article 11(1)(a) of Regulation (EC) No 1301/2006, with a breakdown by eight-digit CN code of the quantities (in product weight) covered by those applications;
- (b) no later than the second working day following the issue of the import licences, information on the licences issued, as referred to in Article 11(1)(b) of Regulation (EC) No 1301/2006, with a breakdown by eight-digit CN code of the quantities (in product weight) for which import licences have been issued;
- (c) no later than the last day of each month, the total quantities (in product weight) actually released for free circulation under this quota during the previous month but one, broken down by eight-digit CN code. If no quantities have been released for free circulation during the period, a 'nil' notification shall be sent.

Article 8

Regulation (EEC) No 862/91 is hereby repealed.

Article 9

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

It shall apply from 1 January 2007.

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

Done at Brussels, 22 December 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

1. Consignor	CERTIFICATE OF ORIGIN for imports of agricultural products into the European Economic Community No ORIGINAL	
2. Consignee (optional)	3. ISSUING AUTHORITY	
	4. Country of origin BANGLADESH	
NOTES A. The certificate must be completed in typescript or by means of a mechanical data-processing system, or similar procedure. B. The original of the certificate must be lodged together with the declaration of release for free circulation with the relevant customs office in the Community.	5. Remarks	
6. Item number- Markings and numbers – Number and kind of packages – Description of goods	7. Gross and net mass (kg)	
8. THIS IS TO CERTIFY THAT THE ABOVE PRODUCTS ORIGINATE IN THE COUNTRY INDICATED IN SECTION 4 AND THAT THE ENTRIES IN SECTION 5 ARE CORRECT. Place and date of issue: Signature: Issuing authority's stamp:		
9. RESERVED FOR THE CUSTOMS AUTHORITIES IN THE COMMUNITY		

ANNEX II**Entries referred to in Article 3(1)**

- In Bulgarian: *Събрана специална такса върху износа на ориз*
- In Spanish: *Derecho especial percibido a la exportación del arroz*
- In Czech: *Zvláštní poplatek vybraný při vývozu rýže*
- In Danish: *Særafgift, der opkræves ved eksport af ris*
- In German: *Bei der Ausfuhr von Reis erhobene Sonderabgabe*
- In Estonian: *Riisi ekspordi suhtes kohaldatav erimaks*
- In Greek: *Ειδικός δασμός που εισπράττεται κατά την εξαγωγή ρυζιού*
- In English: *Special charge collected on export of rice*
- In French: *Taxe spéciale perçue à l'exportation du riz*
- In Italian: *Tassa speciale riscossa all'esportazione del riso*
- In Latvian: *Īpašs maksājums, kuru iekasē par rīsu eksportu*
- In Lithuanian: *Specialus mokestis, taikomas ryžiui eksportui*
- In Hungarian: *A rizs exportálásakor beszedett különleges díj*
- In Maltese: *Taxxa speċjali miġbura ma' l-esportazzjoni tar-ross*
- In Dutch: *Bij uitvoer van de rijst is de bijzondere belasting geïnd.*
- In Polish: *Specjalna opłata pobrana od eksportu ryżu*
- In Portuguese: *Taxa especial cobrada à exportação de arroz*
- In Romanian: *Taxă specială percepută la exportul de orez*
- In Slovak: *Zvláštny poplatok inkasovaný pri vývoze ryže*
- In Slovenian: *Posebna dajatev, pobrana na izvoz riža*
- In Finnish: *Riisin viennin yhteydessä perittävä erityismaksu*
- In Swedish: *Särskild avgift som tas ut vid export av ris*

(amount in national currency)

ANNEX III**Entries referred to in Article 4(1)(a)**

- *In Bulgarian:* Бангладеш
- *In Spanish:* Bangladesh
- *In Czech:* Bangladéš
- *In Danish:* Bangladesh
- *In German:* Bangladesch
- *In Estonian:* Bangladesh
- *In Greek:* Μπαγκλαντές
- *In English:* Bangladesh
- *In French:* Bangladesh
- *In Italian:* Bangladesh
- *In Latvian:* Bangladešā
- *In Lithuanian:* Bangladešas
- *In Hungarian:*
- *In Maltese:* Bangladesh
- *In Dutch:* Bangladesh
- *In Polish:* Bangladesz
- *In Portuguese:* Bangladesh
- *In Romanian:* Bangladesh
- *In Slovak:* Bangladéš
- *In Slovenian:* Bangladesh
- *In Finnish:* - Bangladesh
- *In Swedish:* Bangladesh.