

Commission Regulation (EC) No 972/2006 of 29 June 2006
laying down special rules for imports of Basmati rice and
a transitional control system for determining their origin

[^{F1}Article 1

This Regulation shall apply to husked Basmati rice falling within CN code 1006 20 17 and CN code 1006 20 98, of the following varieties:

- Basmati 217
- Basmati 370
- Basmati 386
- Kernel (Basmati)
- Pusa Basmati
- Ranbir Basmati
- Super Basmati
- Taraori Basmati (HBC-19)
- Type-3 (Dehradun)

Notwithstanding the rates of import duty fixed in the Common Customs Tariff, the husked Basmati rice of the varieties referred to in the first paragraph shall qualify for a zero rate of import duty under the conditions fixed by this Regulation.]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) No 706/2014 of 25 June 2014 amending Regulation \(EC\) No 972/2006 as regards the import duty applicable to Basmati rice.](#)

Article 2

1 Import licence applications for Basmati rice as referred to in Article 10(1) of Regulation (EC) No 1785/2003 shall contain the following details:

- a in box 8, indication of the country of origin and the word ‘yes’ marked with a cross;
- b in box 20, one of the entries listed in Annex I.

2 Import licence applications for Basmati rice shall be accompanied by:

- a proof that the applicant is a natural or legal person who has, for at least 12 months, carried on a commercial activity in the rice sector and is registered in the Member State where the application is made;
- b a product authenticity certificate issued by a competent body in the exporting country, as listed in Annex II hereto.

Article 3

1 The authenticity certificate shall be drawn up on a form in accordance with the specimen given in Annex III hereto.

The form shall measure approximately 210 × 297 millimetres. The original shall be drawn up on such paper as shall show up any tampering by mechanical or chemical means.

The forms shall be printed and completed in English.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 972/2006. (See end of Document for details)

The original and the copies thereof shall be either typewritten or handwritten. In the latter case, they shall be completed in ink and in block capitals.

Each authenticity certificate shall contain a serial number in the top right-hand box. The copies shall bear the same number as the original.

The text of the form in the other Community languages shall be published in the C series of the *Official Journal of the European Union*.

2 The body issuing the import licence shall keep the original of the authenticity certificate and give the applicant a copy.

The authenticity certificate shall be valid for 90 days from the date of issue.

It shall be valid only if the boxes are duly completed and it is signed.

Article 4

1 Import licences for Basmati rice shall contain the following details:

- a in box 8, indication of the country of origin and the word 'yes' marked with a cross;
- b in box 20, one of the entries listed in Annex IV hereto.

The copy of the authenticity certificate referred to in Article 3(2) shall be annexed to the import licence.

2 Notwithstanding Article 9 of Regulation (EC) No 1291/2000, rights deriving from import licences for Basmati rice shall not be transferable.

3 Notwithstanding Article 12 of Regulation (EC) No 1342/2003, the security relating to import licences for Basmati rice shall be EUR 70 per tonne.

Article 5

Member States shall notify the Commission:

- (a) no later than two working days following a refusal, of the quantities in respect of which applications for import licences for Basmati rice have been refused, with an indication of the date of refusal and the grounds, the CN code, the country of origin, the issuing body and the number of the authenticity certificate, as well as the holder's name and address;
- (b) no later than two working days following their issue, of the quantities in respect of which applications for import licences for Basmati rice have been issued, with an indication of the date, the CN code, the country of origin, the issuing body and the number of the authenticity certificate, as well as the holder's name and address;
- (c) in the event of the cancellation of a licence, no later than two working days after cancellation, of the quantities in respect of which licences have been cancelled and the names and addresses of the holders of the cancelled licences;
- (d) on the last working day of each month following the month of release for free circulation, of the quantities actually released for free circulation, with an indication of the CN code, the country of origin, the issuing body and the number of the authenticity certificate.

The notifications shall be made in accordance with Commission Regulation (EC) No 792/2009⁽¹⁾.]

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Textual Amendments

- F2** Substituted by [Commission Implementing Regulation \(EU\) No 1333/2013 of 13 December 2013 amending Regulations \(EC\) No 1709/2003, \(EC\) No 1345/2005, \(EC\) No 972/2006, \(EC\) No 341/2007, \(EC\) No 1454/2007, \(EC\) No 826/2008, \(EC\) No 1296/2008, \(EC\) No 1130/2009, \(EU\) No 1272/2009 and \(EU\) No 479/2010 as regards the notification obligations within the common organisation of agricultural markets.](#)

Article 6

1 In the context of random checks or checks targeted at operations entailing a risk of fraud, Member States shall take representative samples of imported Basmati rice as laid down in Article 242 of Regulation (EC) No 2454/93. The samples shall be sent to the competent body in the country of origin, as listed in Annex V, for a DNA-based variety test.

The Member States may also carry out variety tests on the same sample in a Community laboratory.

2 If the results of one of the tests referred to in paragraph 1 show that the product analysed does not correspond to what is indicated on the authenticity certificate, the import duty on husked rice falling within CN code 1006 20, provided for in Article 11a of Regulation (EC) No 1785/2003, shall apply.

[^{F3}However, the presence up to 5 % of husked rice falling within CN code 1006 20 17 or CN code 1006 20 98 not corresponding to any of the varieties listed in Annex XVIII to Council Regulation (EC) No 1234/2007⁽²⁾ shall be accepted.]

3 If the tests referred to in paragraph 1 or other information available to the Commission indicate a serious and lasting problem as regards the control procedures applied by a competent body in the country of origin, the Commission may contact the competent authorities in the country concerned. If such contacts fail to yield a satisfactory solution, the Commission may decide to apply the rate of import duty for husked rice falling within CN code 1006 20, provided for in Article 11a of Regulation (EC) No 1785/2003 to the imports checked by the body in question, based on Article 11b of the said Regulation and under the conditions laid down therein.

Textual Amendments

- F3** Inserted by [Commission Regulation \(EU\) No 272/2010 of 30 March 2010 amending Regulation \(EC\) No 972/2006 laying down special rules for imports of Basmati rice and a transitional control system for determining their origin.](#)

Article 7

1 The rice market shall be considered to be disturbed when, *inter alia*, a substantial increase in Basmati rice imports is noted for one quarter of the year relative to the previous quarter and there is no satisfactory explanation.

2 If a disturbance of the rice market persists and if the Commission's consultations of the exporting countries concerned fail to yield a satisfactory solution, the import duty on husked rice falling within CN code 1006 20, provided for in Article 11a of Regulation (EC) No 1785/2003, may also be applied to imports of Basmati rice, by Commission Decision, on the basis of Article 11b of the said Regulation and subject to the conditions laid down therein.

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Article 8

The Commission shall keep Annexes II and V up to date.

Article 9

Authenticity certificates and import licences for Basmati rice issued prior to 1 July 2006 under Regulation (EC) No 1549/2004 shall remain valid and products imported under such licences shall be eligible for the import duty provided for in Article 11a of Regulation (EC) No 1785/2003.

Article 10

Regulation (EC) No 1549/2004 is hereby repealed.

All references to Articles 2 to 8 of Regulation (EC) No 1549/2004 and Annexes II to VI thereto shall be read as references to Articles 2 to 8 of this Regulation and Annexes I to V hereto.

All references to Annex I to Regulation (EC) No 1549/2004 shall be read as references to Annex IIIa to Regulation (EC) No 1785/2003.

Article 11

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.

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

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Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 972/2006. (See end of Document for details)

(1) [^{F2}OJ L 228, 1.9.2009, p. 3.]

(2) [^{F3}OJ L 299, 16.11.2007, p. 1.]

Textual Amendments

- F2** Substituted by Commission Implementing Regulation (EU) No 1333/2013 of 13 December 2013 amending Regulations (EC) No 1709/2003, (EC) No 1345/2005, (EC) No 972/2006, (EC) No 341/2007, (EC) No 1454/2007, (EC) No 826/2008, (EC) No 1296/2008, (EC) No 1130/2009, (EU) No 1272/2009 and (EU) No 479/2010 as regards the notification obligations within the common organisation of agricultural markets.
- F3** Inserted by Commission Regulation (EU) No 272/2010 of 30 March 2010 amending Regulation (EC) No 972/2006 laying down special rules for imports of Basmati rice and a transitional control system for determining their origin.

Status:

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Changes to legislation:

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