

COMMISSION REGULATION (EEC) No 1125/77

of 27 May 1977

amending for the 11th time Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3138/76 ⁽²⁾, and in particular Article 12 (2) and the second subparagraph of Article 26 (3) thereof,

Whereas Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾, as last amended by Regulation (EEC) No 2824/76 ⁽⁴⁾ provides that the export licence for certain products falling within heading No 11.07 of the Common Customs Tariff is valid until the end of the 11th month following that of issue ;

Whereas experience has shown that speculative use may be made of a long period of validity ; whereas, however, in accordance with international practice, a large proportion of delivery contracts are concluded for at least a year ; whereas, in order to enable malt exporters to continue to conclude such contracts, provision should be made for a longer period of validity, provided that certain conditions are fulfilled, in particular as regards the destination of the exports and the period within which the destination must be indicated on the export licence ;

Whereas Commission Regulation (EEC) No 306/76 of 12 February 1976 redefining the destination zones for export refunds or levies on cereals and rice ⁽⁵⁾ defined zones which were distinguished according to the characteristics of the markets in cereals, flour and rice ; whereas under Article 9a (1) of Regulation (EEC) No 2042/75, the geographical groupings referred to in the aforesaid Regulation (EEC) No 306/76 have been

applied to malt export licences with a long period of validity ; whereas the geographical groupings currently set out in Regulation (EEC) No 306/76 have proved unsuitable to the particular nature of the malt market ; whereas zones specifically for malt have therefore been defined by Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice ⁽⁶⁾ ; whereas Article 9a (1) of Regulation (EEC) No 2042/75 should be amended accordingly ;

Whereas, moreover, the period for indicating the destination on an export licence, at present fixed at two months, has proved insufficient in the light of commercial practice ; whereas this period should be extended to three months ;

Whereas 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

Article 9a (1) and (2) of Regulation (EEC) No 2042/75 is hereby amended to read as follows :

'1. By way of derogation from Article 9, the export licence for products falling within subheadings 11.07 A I b), 11.07 A II b) and 11.07 B of the Common Customs Tariff shall be valid from the day of issue, within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 until the end of the 11th month following that of issue, where the application is made for export to a zone defined in Annex II to Regulation (EEC) No 1124/77. In this case, the destination shall be indicated in Section 13 of the licence, and the licence shall carry the obligation to export to the said destination.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 325, 24. 11. 1976, p. 5.

⁽⁵⁾ OJ No L 38, 13. 2. 1976, p. 14.

⁽⁶⁾ See page 53 of this Official Journal.

2. However, entry of the destination as referred to in paragraph 1 may be made after the licence is issued. In this case, it must be entered not later than three months from the day of issue of the licence within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

Article 2

This Regulation shall enter into force on 1 June 1977.

It shall only apply to licences issued with effect from the day of its entry into force.

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

Done at Brussels, 27 May 1977.

For the Commission

Finn GUNDELACH

Vice-President
