

## REGULATION No 156/66/EEC OF THE COUNCIL

of 25 October 1966

on the levies on mixtures of cereals, rice and broken rice

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

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, to ensure the proper working of the levy system applicable to trade in cereals, rice and broken rice between the Member States and with third countries introduced by Council Regulation No 19<sup>2</sup> on the progressive establishment of a common organisation of the market in cereals and Council Regulation No 16/64/EEC<sup>3</sup> on the progressive establishment of a common organisation of the market in rice, suitable rules should be applied to trade in mixtures of cereals, rice and broken rice;

Whereas the levy on such mixtures results from their tariff classification, which is normally determined in accordance with the general rules for the interpretation of the Common Customs Tariff;

Whereas, in the case of mixtures of cereals, rice and broken rice, the tariff classification may give rise to difficulties if determined in accordance with these rules; whereas in fact such classification sometimes results in a low levy being charged on mixtures which, however, contain a substantial proportion of products subject to a high levy;

Whereas, in order to avoid such difficulties, special provisions should be adopted for determining the levy on mixtures of cereals, rice and broken rice;

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The levy on mixtures composed of two of the cereals listed in Article 1 (a) and (b) of Regulation No 19 shall be that applicable to:

— the main component by weight, if such component represents 90% or more by weight of the mixture;

— the component subject to the higher levy, where neither of the two components represents 90% or more by weight of the mixture.

2. Where a mixture is composed of more than two of the cereals listed in Article 1 (a) and (b) of Regulation No 19, and if several cereals each represent more than 10% by weight of the mixture, the levy on this mixture shall be the highest of the levies applicable to these cereals, even where the levy is the same for more than one of them.

Where only one cereal represents more than 10% by weight of the mixture, the levy shall be that applicable to this cereal.

3. In respect of mixtures composed of cereals listed in Article 1 (a) and (b) of Regulation No 19 which are not covered by the above provisions, the levy applied shall be the highest of the levies applicable to the cereals included in the mixture, even where the levy is the same for more than one of them.

*Article 2*

1. The levy on mixtures composed of one or more of the cereals listed in Article 1 (a) and (b) of Regulation No 19 and of one or more of the products listed in Article 1 (a) and (b) of Regulation No 16/64/EEC shall be that applicable to the component subject to the highest levy.

<sup>1</sup> OJ No 130, 19.7.1966, p. 2464/66.

<sup>2</sup> OJ No 30, 20.4.1962, p. 933/62.

<sup>3</sup> OJ No 34, 27.2.1964, p. 574/64.

2. The levy on mixtures composed either of rice of several different groups or processing stages or of rice of one or more different groups or processing stages and of broken rice shall be that applicable to:

- the main component by weight, if such component represents 90% or more by weight of the mixture;
- the component subject to the highest levy, where none of the component represents 90% or more by weight of the mixture.

#### *Article 3*

Where the method of determining the levy laid down in Articles 1 and 2 cannot be applied, the levy on the mixtures covered by this Regulation shall be that derived from the tariff classification of such mixtures.

#### *Article 4*

Council Regulation No 139<sup>1</sup> on levies on cereal mixtures is hereby repealed.

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

Done at Brussels, 25 October 1966.

*For the Council*

*The President*

B. W. BIESHEUVEL

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<sup>1</sup> OJ No 122, 21.11.1962, p. 2729/62.