

**COMMISSION REGULATION (EC) No 2170/2005****of 28 December 2005****fixing the import duties applicable to semi-milled or wholly milled rice from 1 September 2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1549/2004 of 30 August 2004 derogating from Council Regulation (EC) No 1785/2003 as regards the import arrangements for importing rice and laying down separate transition rules for imports of basmati rice <sup>(1)</sup>, and in particular Article 1b,

Whereas:

- (1) Based on the information provided by the competent authorities, the Commission notes that import licences for semi-milled and wholly milled rice falling within CN code 1006 30 have been issued in respect of 193 841 tonnes for 1 September 2004 to 31 August 2005. The import duty for semi-milled or wholly milled rice falling within CN code 1006 30 must therefore be amended.
- (2) As the applicable duty must be fixed no later than three days from the end of the period referred to above, this Regulation must enter into force immediately.

- (3) This amendment must take effect on 1 September 2005 in order to take account of the application on that date of Regulation (EC) No 2152/2005. Because this duty is being fixed retroactively, provision must be made to repay the traders concerned any overpayments of duty, at their request,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import duty for semi-milled or wholly milled rice falling with CN code shall be EUR 145 per tonne.

*Article 2*

The amounts of duty exceeding the amount legally due booked since 1 September 2005 shall be repaid or remitted.

To this end, the traders concerned are invited to lodge applications in accordance with Article 236 of Council Regulation (EEC) No 2913/92 <sup>(2)</sup> and the relevant implementing provisions contained in Commission Regulation (EEC) No 2454/93 <sup>(3)</sup>.*Article 3*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 September 2005.

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

Done at Brussels, 28 December 2005.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 280, 31.8.2004, p. 13. Regulation as last amended by Regulation (EC) No 2152/2005 (OJ L 342, 24.12.2005, p. 30).

<sup>(2)</sup> OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 648/2005 of the European Parliament and of the Commission (OJ L 117, 4.5.2005, p. 13).

<sup>(3)</sup> OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 883/2005 (OJ L 148, 11.6.2005, p. 5).