II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 26 May 1987

concerning the conclusion of the Agreement in the form of an Exchange of Letters amending the Agreement of 14 July 1986 adjusting the Agreement between the European Economic Community and the Kingdom of Norway, concerning mutual trade in cheese

(87/370/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation of the Commission,

Whereas the Agreement in the form of an Exchange of Letters of 14 July 1986 [1] adjusting the Agreement between the European Economic Community and the Kingdom of Norway concerning mutual trade in cheese consequent upon the accession of Spain and Portugal to the Community, provides for the Community to maintain traditional imports into Spain of cheese from Norway;

Whereas the only types of cheese included were Jarlsberg and Ridder, and a small traditional flow of processed cheese from Norway to Spain was not taken into account;

Whereas the Kingdom of Norway has requested that this omission be corrected by replacing eight tonnes of Jarlsberg and Ridder cheese by the same quantity of processed cheese;

Whereas the Article 113 Committee has issued a favourable opinion;

Whereas the Commission has held consultations on the matter with the Government of Norway that have led to agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters amending the Agreement of 14 July 1986 adjusting the Agreement between the European Economic Community and the Kingdom of Norway concerning mutual trade in cheese is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 26 May 1987.

For the Council

The President

L. TINDEMANS

[1] OJ No L 328, 22. 11. 1986, p. 80.

AGREEMENT

in the form of an Exchange of letters amending the Agreement of 14 July 1986 adjusting the Agreement between the European Economic Community and the Kingdom of Norway concerning mutual trade in cheese

A. *Letter from the Community*

Brussels,

Sir,

I have the honour to refer to the Agreement in the form of an Exchange of Letters of 14 July 1986 adjusting the Agreement between the European Economic Community and the Kingdom of Norway concerning mutual trade in cheese consequent upon the accession of the Kingdom of Spain and the Portuguese Republic to the Community, and to the consultations held on this matter between the delegations of Norway and of the Commission of the European Communities.

1. I confirm that the Community agrees that, from 1 April 1987 and for the duration of the transitional period laid down by the Act of Accession of Spain to the Communities, the breakdown of the annual quantities of cheese imported into Spain from Norway be amended as follows :

   Cheese originating in and coming from Norway, accompanied by an approved certificate :

	Quantity (tonnes)	*Import duty (ECU/100 kg)*
— Jarlsberg, of a minimum fat content of 45 % by weight, in the dry matter, and of a dry matter content, by weight, of not less than 56 %, matured for at least three months, falling within subheading 04.04 E I b) 2 of the Common Customs Tariff :		
— whole cheeses, with rind (1), weighing from 8 to 12 kg		
— rectangular blocks weighing 7 kg or less (2)		
— pieces packed in vacuum or inert gas, of a net weight of not less than 150 g but not more than 1 kg (2)	82	55
— Ridder, of a minimum fat content of 60 % by weight, in the dry matter, matured for at least four weeks, falling within subheading 04.04 E I b) 2 of the Common Customs Tariff :		
— whole cheeses, with rind (1), weighing from 1 to 2 kg		
— in pieces packed in vacuum or inert gas, with rind on at least one side (1), of a net weight of not less than 150 kg (2)		
— Processed cheese, not grated or powdered, falling with subheading 04.04 D of the Common Customs Tariff	8	36,27

2. At the end of the transitional period the quantities indicated above will be added to the annual tariff quota laid down in the Agreement between the Community and the Kingdom of Norway concerning mutual trade in cheese.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of
the Council of the European Communities

(1) Whole cheeses are considered to be standard whole cheeses with rind. For the purpose of these provisions 'rind' is defined as follows : the rind of such cheeses is the outer layer formed from the cheese itself having a distinctly more solid consistency and a distinctly darker colour.

(2) The indications on the packaging must be such as to enable the consumer to identify the cheese.

B. *Letter from Norway*

Brussels,

Sir,

I acknowledge receipt of your letter of today's date which reads as follows :

'I have the honour to refer to the Agreement in the form of an Exchange of Letters of 14 July 1986 adjusting the Agreement between the European Economic Community and the Kingdom of Norway concerning mutual trade in cheese consequent upon the accession of the Kingdom of Spain and the Portuguese Republic to the Community, and to the consultations held on this matter between the delegations of Norway and of the Commission of the European Communities.

1. I confirm that the Community agrees that, from 1 April 1987 and for the duration of the transitional period laid down by the Act of Accession of Spain to the Communities, the breakdown of the annual quantities of cheese imported into Spain from Norway be amended as follows :

Cheese originating in and coming from Norway, accompanied by an approved certificate :

	Quantity (tonnes)	*Import duty (ECU/100 kg)*
— Jarlsberg, of a minimum fat content of 45 % by weight, in the dry matter, and of a dry matter content, by weight, of not less than 56 %, matured for at least three months, falling within subheading 04.04 E I b) 2 of the Common Customs Tariff :		
— whole cheeses, with rind (1), weighing from 8 to 12 kg		
— rectangular blocks weighing 7 kg or less (2)		
— pieces packed in vacuum or inert gas, of a net weight of not less than 150 g but not more than 1 kg (2)	82	55
— Ridder, of a minimum fat content of 60 % by weight, in the dry matter, matured for at least four weeks, falling within subheading 04.04 E I b) 2 of the Common Customs Tariff :		
— whole cheeses, with rind (1), weighing from 1 to 2 kg		
— in pieces packed in vacuum or inert gas, with rind on at least one side (1), of a net weight of not less than 150 kg (2)		
— Processed cheese, not grated or powdered, falling with subheading 04.04 D of the Common Customs Tariff	8	36,27

2. At the end of the transitional period the quantities indicated above will be added to the annual tariff quota laid down in the Agreement between the Community and the Kingdom of Norway concerning mutual trade in cheese.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government
of the Kingdom of Norway

(1) Whole cheeses are considered to be standard whole cheeses with rind. For the purpose of these provisions 'rind' is defined as follows : the rind of such cheeses is the outer layer formed from the cheese itself having a distinctly more solid consistency and a distinctly darker colour.

(2) The indications on the packaging must be such as to enable the consumer to identify the cheese.