REGULATION (EEC) No 1279/73 OF THE COMMISSION

of 14 May 1973

fixing accession compensatory amounts for milk and milk products during the 1973/74 dairy year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty [1] concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972;

Having regard to Council Regulation (EEC) No 233/73 [2] of 31 January 1973 laying down general rules for the system of compensatory amounts for milk and milk products, and in particular Articles 2 (3) and 6 thereof;

Whereas, in so far as according to Article 52 of the Act of Accession [3], the prices of butter valid for the 1973/74 dairy year in the new Member States have been fixed at different levels to that of the common intervention price and these differences must be compensated, in accordance with Article 55 (2) of the Act by the application of compensatory amounts;

Whereas, with regard to the fixing of compensatory amounts applicable to other dairy products for the first alignment, account is taken, in accordance with Article 86 (1) second line of the Act, of the amounts fixed by Commission Regulations (EEC) Nos 233/73 and 480/73 [4] of the 31 January 1973 concerning the methods of applying the compensatory amounts applicable for milk and milk products, as well as the rules established by Article 52 of the Act for the alignment of prices; whereas however, for products relevant to the Common Customs Tariff heading No 04.01 for which the relevant compensatory amount for the first alignment has been fixed in accordance with Article 87 (1) first subparagraph, this compensatory amount must be reduced thereafter by one-sixth, in accordance with the second line of the aforesaid provision;

Whereas the terms of Article 55 (4) of the Act provide for no compensatory amount to be fixed if the application of the rules envisaged above lead to a very small amount;

Whereas for the application of the new compensatory amounts, the general rules established by Regulation (EEC) No 233/73 and the methods of application provided for by Regulation (EEC) No 480/73 remain in force;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Milk and Milk Products;

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amounts applicable during the 1973/74 dairy year, for trade between the original Community and the new Member States, for trade between the latter and third countries, for the products envisaged in Article 1 of Regulation (EEC) No 804/68 are shown in the Annex.

Article 2

1. The first Article as well as the Annex to Regulation (EEC) No 480/73 are deleted.

2. Article 3 (3) second subparagraph of Regulation (EEC) No 480/73, the amount of '32 u.a./100 kg' is replaced by the amount of '29·70 u.a./100 kg'.

Article 3

This Regulation shall enter into force on 14 May 1973.

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

Done at Brussels, 14 May 1973.

For the Commission
The President
François-Xavier ORTOLI

(1) OJ No L 73, 27. 3. 1972, p. 5.
(2) OJ No L 28, 1. 2. 1973, p. 37.
(3) OJ No L 73, 27. 3. 1972, p. 14.
(4) OJ No L 53, 26. 2. 1973, p. 74.

ANNEX

CCT heading No	Description of goods	Compensatory amounts (in u.a./100 kg net weight unless otherwise indicated)								
		To be applied by:								
		Original Community			Denmark			Ireland		United Kingdom
		In trade with:								
		Denmark	Ireland	United Kingdom	Ireland	United Kingdom	Third countries	United Kingdom	Third countries	Third countries
04.01	Milk and cream, fresh, not concentrated or sweetened:									
	A. Of a fat content, by weight, not exceeding 6%:									
	I. Yoghourt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk:									
	— Whey	—	—	—	—	—	—	—	—	—
	— Other, of a fat content, by weight:									
	— Not exceeding 1%	—	—	—	—	—	—	—	—	—
	— Exceeding 1%	—	0·71	3·97	0·51	3·77	0·20	3·26	0·71	3·97
	II. Other:	To be applied by:								
		Original Community			Denmark		Ireland	United Kingdom		
		In trade with:								
		Denmark	Ireland	Ireland	Third countries	Third countries	Original Community	Denmark	Ireland	Third countries
	a) In immediate packings of a net capacity of 2 l or less	—	0·71	0·51	0·20	0·71	1·28	1·48	1·99	1·28

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		In trade with:								
		Denmark	Ireland	United Kingdom	Ireland	United Kingdom	Third countries	United Kingdom	Third countries	Third countries
04.01 *(cont'd)*	b) Other, of a fat content, by weight:									
	— Not exceeding 1%	—	—	—	—	—	—	—	—	—
	— Exceeding 1% but not exceeding 2%	—	0·29	1·61	0·21	1·53	—	1·32	0·29	1·61
	— Exceeding 2% but not exceeding 3%	—	0·48	2·68	0·34	2·54	—	2·20	0·48	2·68
	— Exceeding 3% but not exceeding 4%	—	0·71	3·97	0·51	3·77	0·20	3·26	0·71	3·97
	— Exceeding 4% but not exceeding 5%	—	0·86	4·83	0·61	4·58	—	3·97	0·86	4·83
	— Exceeding 5%	—	1·06	5·91	0·76	5·61	—	4·85	1·06	5·91
	B. Other, of a fat content, by weight, exceeding 6%:									
	— In immediate packings of a net capacity of 2 l or less	0·0549 (9)	0·1921 (9)	0·8108 (9)	0·1372 (9)	0·7559 (9)	0·0549 (9)	0·6187 (9)	0·1921 (9)	0·8108 (9)
	— Other	0·0549 (9)	0·1921 (9)	1·0737 (9)	0·1372 (9)	1·0188 (9)	0·0549 (9)	0·8816 (9) (a)	0·1921 (9)	1·0737 (9)
04.02	Milk and cream, preserved, concentrated or sweetened:									
	A. Not containing added sugar:									
	I. Whey	—	—	—	—	—	—	—	—	—
	II. Milk and cream, in powder or granules, of a fat content, by weight:									
	— Not exceeding 1·5%	—	—	—	—	—	—	—	—	—

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		Denmark	Ireland	United Kingdom	Ireland	United Kingdom	Third countries	United Kingdom	Third countries	Third countries
04.02 *(cont'd)*	— Exceeding 1·5% but not exceeding 25%	—	0·1921 (9)	1·0737 (9)	0·1372 (9)	1·0188 (9)	0·0549 (9)	0·8816 (9)	0·1921 (9)	1·0737 (9)
	— Exceeding 25% but not exceeding 27%	—	4·99	27·92	3·56	26·49	1·43	22·93	4·99	27·92
	— Exceeding 27%	0·0549 (9)	0·1921 (9)	1·0737 (9)	0·1372 (9)	1·0188 (9)	0·0549 (9)	0·8816 (9)	0·1921 (9)	1·0737 (9)
	III. Milk and cream, other than in powder or granules, of a fat content, by weight:									
	— Not exceeding 7%	—	0·1921 (9)	1·0737 (9)	0·1372 (9)	1·0188 (9)	—	0·8816 (9)	0·1921 (9)	1·0737 (9)
	— Exceeding 7% but not exceeding 8%	—	1·44	8·05	1·03	7·64	0·41	6·61	1·44	8·05
	— Exceeding 8%	0·0549 (9)	0·1921 (9)	1·0737 (9)	0·1372 (9)	1·0188 (9)	0·0549 (9)	0·8816 (9)	0·1921 (9)	1·0737 (9)
	B. Containing added sugar:									
	I. Milk and cream, in powder or granules:									
	a) Special milk for infants (1), in hermetically sealed cans of a net capacity of 500 g or less and of a fat content, by weight (2):									
	1. Exceeding 10% but not exceeding 11%	—	—	—	—	—	—	—	2·02	11·27
	2. Exceeding 14·5% but not exceeding 15·5%	—	—	—	—	—	—	—	2·88	16·11
	3. Exceeding 17% but not exceeding 18%	—	—	—	—	—	—	—	3·36	18·79
	4. Exceeding 23% but not exceeding 24%	—	—	—	—	—	—	—	4·51	25·23

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		Denmark	Ireland	United Kingdom	Ireland	United Kingdom	Third countries	United Kingdom	Third countries	Third countries
04.02 *(cont'd)*	b) Other:									
	— Whey	—	—	—	—	—	—	—	—	—
	— Other, of a fat content, by weight:									
	— Not exceeding 1·5%		(10)	(10)	(10)	(10)	(10)	(10)	(10)	(10)
	— Exceeding 1·5% but not exceeding 25%	—	0·1921 (11)	1·0737 (11)	0·1372 (11)	1·0188 (11)	—	0·8816 (11)	0·1921 (11)	1·0737 (11)
	— Exceeding 25% but not exceeding 27%	—	0·0499 (12) per kg	0·2792 (12) per kg	0·0356 (12) per kg	0·2649 (12) per kg	—	0·2293 (12) per kg	0·0499 (12) per kg	0·2792 (12) per kg
	— Exceeding 27%	0·0549	0·1921 (11)	1·0737 (11)	0·1372 (11)	1·0188 (11)	0·0549 (11)	0·8816 (11)	0·1921 (11)	1·0737 (11)
	II. Milk and cream, other than in powder or granules:									
	— Whey									
	— Other, of a fat content, by weight:									
	— Not exceeding 8·5%	—	0·1921 (11)	1·0737 (11)	0·1372 (11)	1·0188 (11)	0·0549 (11)	0·8816 (11)	0·1921 (11)	1·0737 (11)
	— Exceeding 8·5% but not exceeding 9·5%	—	1·73 (13)	9·66 (13)	1·24 (13)	9·17 (13)	0·49 (13)	7·93 (13)	1·73 (13)	9·66 (13)
	— Exceeding 9·5%	0·0549	0·1921 (11)	1·0737 (11)	0·1372 (11)	1·0188 (11)	0·0549 (11)	0·8816 (11)	0·1921 (11)	1·0737 (11)
04.03	Butter, of a fat content, by weight, of:									
	— Less than 80%	0·0549 (9)	0·1921 (9)	1·0737 (9)	0·1372 (9)	1·0188 (9)	0·0549 (9)	0·8816 (9)	0·1921 (9)	1·0737 (9)
	— 80% or more but less than 82%	4·39	15·37	85·90	10·98	81·51	4·39	70·53	15·37	85·90
	— 82% or more but less than 84%	4·50	15·75	88·04	11·25	83·54	4·50	72·29	15·75	88·04
	— 84% or more	0·0549 (9)	0·1921 (9)	1·0737 (9)	0·1372 (9)	1·0188 (9)	0·0549 (9)	0·8816 (9)	0·1921 (9)	1·0737 (9)

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04.04	Cheese and curd:									
	A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered:									
	I. Of a minimum fat content of 45% by weight, referred to dry matter, matured for at least 3 months (2) (*)	—	—	—	—	—	—	—	—	—
	II. Other	—	5·47	30·60	3·91	29·04	1·56	25·13	5·47	30·60
	B. Glarus herb cheese (known as Schabziger) made from skimmed milk and mixed with finely-ground herbs (2)	—	—	—	—	—	—	—	—	—
	C. Blue-veined cheese, not grated or powdered	—	5·47	30·60	3·91	29·04	1·56	25·13	5·47	30·60
	D. Processed cheese, not grated or powdered:									
	I. In the blending of which only Emmentaler Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up (in boxes or slices) for retail sale (7), of a free-at-frontier value (5) of 140 u.a. or more per 100 kg net weight and of a fat content, by weight, referred to dry matter (2):									
	a) Not exceeding 48% in respect of the aggregate of portions or slices	—	—	—	—	—	1·19	—	4·15	23·19
	b) Not exceeding 48% in respect of 5/6ths of the aggregate of portions or slices and not exceeding 56% in respect of the remaining 1/6th	—	—	—	—	—	1·21	—	4·23	23·62

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04.04 *(cont'd)*	c) Exceeding 48% but not exceeding 56% in respect of the aggregate of portions or slices	—	—	—	—	—	1·32	—	4·61	25·77
	II. Other, of a fat content, by weight referred to dry matter of:									
	— Less than 19%	—	—	—	—	—	—	—	—	—
	— 19% or more but less than 39%	—	2·42	13·53	1·73	12·84	0·69	11·11	2·42	13·53
	— 39% or more but less than 49%	—	4·15	23·19	2·96	22·00	1·19	19·04	4·15	23·19
	— 49% or more	—	5·99	33·50	4·28	31·79	1·71	27·51	5·99	33·50
	E. Other:									
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40% and a water content, calculated by weight, of the non-fatty matter:									
	a) Not exceeding 47% and of a fat content by weight referred to dry matter of 19% or more:									
	— Pecorino	—	5·47	30·60	3·91	29·04	1·56	25·13	5·47	30·60
	— Other	—	4·11	22·98	2·94	21·81	1·17	18·87	4·11	22·98
	b) Exceeding 47% but not exceeding 72%:									
	1. Cheddar, including Chester, of a fat content by weight referred to dry matter of:									
	— Less than 19%	—	—	—	—	—	—	—	—	—
	— 19% or more but less than 39%	—	2·88	16·11	2·06	15·29	0·82	13·23	2·88	16·11
	— 39% or more	—	5·47	30·60	3·91	29·04	1·56	25·13	5·47	30·60

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04.04 *(cont'd)*	2. Tilsit (2)	—	—	—	—	—	1·56	—	5·47	30·60
	3. Kashkaval (2)	—	—	—	—	—	1·56	—	5·47	30·60
	4. Cheese of sheep's milk or buffalo milk, in containers holding brine, or in sheep or goatskin bottles	—	—	—	—	—	1·56	—	5·47	30·60
	5. Other, of a fat content by weight referred to dry matter of:									
	— Less than 19%	—	—	—	—	—	—	—	—	—
	— 19% or more but less than 39%	—	2·88	16·11	2·06	15·29	0·82	13·23	2·88	16·11
	— 39% or more	—	5·47	30·60	3·91	29·04	1·56	25·13	5·47	30·60
	c) Exceeding 72%, of a fat content by weight referred to dry matter of:									
	— Less than 19%	—	—	—	—	—	—	—	—	—
	— 19% or more but less than 39%	—	1·73	9·66	1·24	9·17	0·49	7·93	1·73	9·66
	— 39% or more but less than 59%	—	3·65	20·40	2·61	19·36	1·04	16·75	3·65	20·40
	— 59% or more	—	4·99	27·92	3·56	26·49	1·43	22·93	4·99	27·92
	II. Other:									
	a) Grated or powdered, of a fat content by weight:									
	— Not exceeding 20%	—	—	—	—	—	—	—	—	—
	— Exceeding 20% but not exceeding 27%	—	3·07	17·18	2·19	16·30	0·88	14·11	3·07	17·18
	— Exceeding 27% but not exceeding 39%	—	4·38	24·48	3·13	23·23	1·25	20·10	4·38	24·48

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		Denmark	Ireland	United Kingdom	Ireland	United Kingdom	Third countries	United Kingdom	Third countries	Third countries
04.04 *(cont'd)*	— Exceeding 39% but not exceeding 44%	—	6·14	34·36	4·38	32·60	1·76	28·22	6·14	34·36
	— Exceeding 44%	—	6·91	38·66	4·93	36·68	1·98	31·75	6·91	38·66
	b) Other	—	7·88	44·02	5·63	41·77	2·25	36·14	7·88	44·02
17.02	Other sugars, sugar syrups; artificial honey (whether or not mixed with natural honey); caramel:									
	A. Lactose and lactose syrup:									
	II. Other than that containing, in the dry state, 99% or more by weight of the pure product	—	—	—	—	—	—	—	—	—
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion:									
	A. Lactose and lactose syrup	—	—	—	—	—	—	—	—	—
		Compensatory amounts in trade between the Community as originally constituted and the new Member States, between the new Member States, and between the new Member States and third countries.								
23.07	Sweetened forage, other preparations of a kind used in animal feeding:									
	B. Other, containing starch or glucose or glucose syrup falling within subheadings Nos 17.02 B and 17.05 B, or milk products (8):									

CCT heading No	Description of goods	Compensatory amounts in trade between the Community as originally constituted and the new Member States, between the new Member States, and between the new Member States and third countries
23.07 *(cont'd)*	I. Containing starch, glucose or glucose syrup:	
	a) Containing no starch or containing 10% or less by weight of starch:	
	1.	
	2.	
	3. Containing 50% or more but less than 75% by weight of milk products	—
	4. Containing 75% or more by weight of milk products	—
	b) Containing more than 10% but not more than 30% by weight of starch:	
	1.	
	2.	
	3. Containing 50% or more by weight of milk products	(14)
	c) Containing more than 30% by weight of starch:	
	1.	
	2.	
	3. Containing 50% or more by weight of milk products	(15)
	II. Containing no starch, glucose or glucose syrup, but containing milk products	—

Notes

(*) Products falling within subheadings 04.04 A I a) 1 and 2, 04.04 A I b) 1 aa) and bb), 04.04 A I b) 2 of the Common Customs Tariff fall within these subheadings.

(1) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic and toxicogenic germs and containing per gramme less than 10 000 revivifiable aerobic bacteria and less than 2 coliform bacteria.

(2) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.

(5) 'Free-at-frontier value' means; the free-at-frontier price or fob price in the country of exportation, plus a lump sum to be determined in respect of the expenses of delivery to the customs territory of the Community.

(7) For the purposes of this tariff subheading, 'put up (in boxes or slices) for retail sale' means: cheese of the kinds classified under that subheading put up in individual portions or in slices and packed in one of the following forms:

(a) in boxes (including plastic containers with individual compartments for each portion);

— at least 3 but not more than 12 individual portions, of an aggregate net weight not exceeding 250 g; or

— a single portion of a net weight not exceeding 56 g.

(b) in circular or polygonal boxes (other than square or rectangular) containing at least 12 individual portions of an aggregate net weight of not less than 450 g but not more than 1000 g;

(c) in the form of slices wrapped separately in aluminium foil, the net weight of each slice not exceeding 30 g.

(8) For the purposes of tariff subheading 23.07 B, 'milk products' means the products falling within tariff headings and subheadings 04.01, 04.02, 04.03, 04.04, 17.02 A and 17.05 A.

(9) The compensatory amount per 100 kg net weight of product falling within this subheading is equal to the amount shown multiplied by the weight of milk fats contained in 100 kg of finished product.

(10) The compensatory amount per 100 kg net weight of product falling within this subheading is equal, for each percentage point of the sucrose content of 100 kg net weight of product, to the compensatory amount applicable to 1 kg of white sugar.

(11) The compensatory amount per 100 kg net weight of product falling within this subheading is equal to the sum of the following elements:

(a) the amount shown multiplied by the weight of the milk fats contained in 100 kg of finished product;

(b) for each percentage point of sucrose content of 100 kg net weight of product, an additional amount equal to the compensatory amount applicable to 1 kg of white sugar.

(12) The compensatory amount per 100 kg net weight of product falling within this subheading is equal to the sum of the following elements:

(a) the amount per kg shown multiplied by the weight of milk and cream contained in 100 kg of finished product;

(b) for each percentage point of sucrose content of 100 kg weight of product, an additional amount equal to the compensatory amount applicable to 1 kg of white sugar.

(13) The compensatory amount per 100 kg net weight of product falling within this subheading is equal to the sum of the following elements:

(a) the amount shown;

(b) for each percentage point of sucrose content of 100 kg net weight of product, an additional amount equal to this compensatory amount applicable to 1 kg of white sugar.

(14) The compensatory amount per 100 kg net weight of product falling within this subheading is equal to the compensatory amount (or to the amount applicable as a compensatory amount) for 100 kg of maize multiplied by 0·16.

(15) The compensatory amount per 100 kg net weight of product falling within this subheading is equal to the compensatory amount (or to the amount applicable as a compensatory amount) for 100 kg of maize multiplied by 0·50.

(a) Ireland shall grant a compensatory amount of 29·70 units of account/100 kg net weight on exports to the United Kingdom of products of a fat content, by weight of 48 % or more, but not more than 57 %, in metal containers of a net capacity of 45·460 litres (10 gallons) or more, falling within this subheading.

N.B. Added lactose, the non-milk fat content by weight and other non-lactic substances (sucrose, flour, etc.) are to be disregarded for the purpose of classifying products by fat content.

The amounts shown in the columns headed 'Third countries' are deducted from the levy and from the refund, except in the case of the compensatory amount for subheading 04.01 A II a) to be applied by the United Kingdom; this is added to the levy and the refund.