REGULATION (EEC) No 388/74 OF THE COMMISSION

of 14 February 1974

fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68 [1] of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act [2] annexed to the Treaty [3] on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 14 (8) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the import levies on milk and milk products were fixed by Regulation (EEC) No 1443/73 [4] and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2·25 %, a rate of exchange based on their effective parity;

— for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

Whereas it follows from applying the rules contained in Regulation (EEC) No 1443/73 to the prices known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 14 (2) of Regulation (EEC) No 804/68 are hereby fixed as shown in the Annex.

Article 2

This Regulation shall enter into force on 16 February 1974.

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

Done at Brussels, 14 February 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

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(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 73, 27. 3. 1972, p. 14.
(3) OJ No L 73, 27. 3. 1972, p. 5.
(4) OJ No L 144, 31. 5. 1973, p. 44.

ANNEX

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
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 :		
	a) In immediate packings of a net capacity of 2 litres or less less	0110	12·37
	b) Other	0120	10·37
	II. Other :		
	a) In immediate packings of a net capacity of 2 litres or less and of a fat content, by weight :		
	1. Not exceeding 4 %	0130	10·37
	2. Exceeding 4 %	0140	13·43
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 %	0150	9·37
	2. Exceeding 4 %	0160	12·43
	B. Other, of a fat content, by weight :		
	I. Exceeding 6 % but not exceeding 21 %	0200	33·42
	II. Exceeding 21 % but not exceeding 45 %	0300	70·69
	III. Exceeding 45 %	0400	109·25
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	I. Whey	0500	3·39
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2·5 kg or less and of a fat content, by weight :		
	1. Not exceeding 1·5 %	0620	20·50
	2. Exceeding 1·5 % but not exceeding 27 %	0720	65·95
	3. Exceeding 27 % but not exceeding 29 %	0820	67·95
	4. Exceeding 29 %	0920	82·36
	b) Other, of a fat content, by weight :		
	1. Not exceeding 1·5 %	1020	14·50
	2. Exceeding 1·5 % but not exceeding 27 %	1120	59·95
	3. Exceeding 27 % but not exceeding 29 %	1220	61·95
	4. Exceeding 29 %	1320	76·36
	III. Milk and cream, other than in powder or granules :		
	a) In hermetically sealed cans of a net capacity of 454 g or less, or in glass containers of a capacity of 0·5 litre or less and of a fat content, by weight, of 11 % or less :		
	1. Of a fat content, by weight, of 8·9 % or less	1420	15·98
	2. Other	1520	21·57
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 %	1620	70·69
	2. Exceeding 45 %	1720	109·25

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.02 (cont'd)	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 %	1810	29·00
	2. Exceeding 14·5 % but not exceeding 15·5 %	1910	33·00
	3. Exceeding 17 % but not exceeding 18 %	2010	36·00
	4. Exceeding 23 % but not exceeding 24 %	2110	38·00
	b) Other :		
	1. In immediate packings of a net capacity of 2·5 kg or less and of a fat content, by weight :		
	aa) Not exceeding 1·5 % (3)	2220	per kg 0·1450 (9)
	bb) Exceeding 1·5 % but not exceeding 27 % (3)	2320	per kg 0·5995 (9)
	cc) Exceeding 27 % (3)	2420	per kg 0·7636 (9)
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1·5 % (3)	2520	per kg 0·1450 (10)
	bb) Exceeding 1·5 % but not exceeding 27 % (3)	2620	per kg 0·5995 (10)
	cc) Exceeding 27 % (3)	2720	per kg 0·7636 (10)
	II. Milk and cream, other than in powder or granules :		
	a) In hermetically sealed cans of a net capacity of 454 g or less and of a fat content, by weight, not exceeding 9·5 %	2810	30·15
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % (3)	2910	per kg 0·7069 (10)
	2. Exceeding 45 % (3)	3010	per kg 1·0925 (10)
04.03	Butter :		
	A. Of a fat content, by weight, not exceeding 85 %	3110	128·53
	B. Other	3210	156·81
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) :		
	a) Whole cheese (4) of a free-at-frontier value (5) per 100 kg net weight of :		
	1. 151·68 u.a. (a) or more but less than 171·68 u.a. (a)	3314	**15·00**
	2. 171·68 u.a. (a) or more	3413	100·05 (11)

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.04 (cont'd)	b) Vacuum-packed pieces :		
	1. With rind on at least one side, of a net weight :		
	aa) Of 1 kg or more but less than 5 kg and of a free-at-frontier value (5) of 171·68 u.a. (a) or more but less than 199·68 u.a. (a) per 100 kg net weight	3514	15·00
	bb) Of 450 g or more and of a free-at-frontier value (5) of 199·68 u.a. (a) or more per 100 kg net weight	3612	100·05 (11)
	2. Other, of a net weight of 75 g or more but not exceeding 250 g (6) and of a free-at-frontier value (5) of 219·68 u.a. (a) or more per 100 kg net weight	3712	100·05 (11)
	II. Other	3800	100·05
	B. Glarus herb cheese (known as Schabziger) made from skimmed milk and mixed with finely-ground herbs (8)	3900	85·48 (12)
	C. Blue-veined cheese, not grated or powdered	4000	52·65
	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 (8) :		
	a) Not exceeding 48 % in respect of the aggregate of portions or slices	4111	30·00
	b) Not exceeding 48 % in respect of 5/6 of the aggregate of portions or slices and not exceeding 56 % in respect of the remaining 1/6	4211	31·00
	c) Exceeding 48 % but not exceeding 56 % in respect of the aggregate of portions or slices	4311	35·00
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, referred to dry matter :		
	1. Not exceeding 48 %	4410	83·58
	2. Exceeding 48 %	4510	91·21
	b) Exceeding 36 %	4610	171·21
	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 %	4710	85·48

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar, including Chester	4810	75·43
	2. Tilsit and Butterkäse, of a fat content, by weight, referred to the dry matter (2) :		
	aa) Not exceeding 48 %	4922	83·94 (13)
	bb) Exceeding 48 %	5022	83·94 (14)
	3. Kashkaval (2)	5030	83·94 (15)
	4. Cheese of sheep's milk or buffalo milk, in containers holding brine, or in sheep- or goat-skin bottles (2)	5060	83·94 (15)
	5. Other	5120	83·94
	c) Exceeding 72 % :		
	1. In immediate packings of a net capacity not exceeding 500 g	5210	62·96
	2. Other	5250	163·94
	II. Not specified :		
	a) Grated or powdered	5310	85·48
	b) Other	5410	163·94
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 (16)	5500	13·92 (16)
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	5600	13·92
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) :		
	I. Containing starch, or 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	5700	12·88
	4. Containing 75 % or more by weight of milk products	5800	16·21
	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	5900	15·05

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
23.07 (cont'd)	c) Containing more than 30 % by weight of starch :		
	1.		
	2.		
	3. Containing 50 % or more by weight of milk products	6000	12·15
	II. Containing no starch, glucose or glucose syrup, but containing milk products	6100	16·21

For notes (1) to (8), see notes (1) to (8) of Council Regulation (EEC) No 823/68 (OJ No L 151, 30. 6. 1968).

(9) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
b) 6 u.a.; and
c) 0 u.a.

(10) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
b) 0 u.a.

(11) The levy is limited to 7·50 u.a. per 100 kg net weight.

(12) The levy is limited to 6 % of the value for customs purposes.

(13) The levy is limited to 53·05 u.a. per 100 kg net weight for imports from Austria, Finland, Rumania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(14) The levy is limited to 73·05 u.a. per 100 kg net weight for imports from Austria, Finland, Rumania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(15) The levy is limited to 53·05 u.a. per 100 kg net weight for imports from Bulgaria, Hungary, Rumania and Turkey (Regulation (EEC) No 1054/68 as amended).

(16) Lactose and lactose syrup falling within subheading No 17.02 A I are, in pursuance of Regulation No 189/66/EEC, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading No 17.02 A II.
(a) For imports into the United Kingdom, this free-at-frontier value shall be reduced by 17·68 u.a. per 100 kg net.