REGULATION (EEC) No 664/74 OF THE COUNCIL
of 28 March 1974
amending Regulation (EEC) No 823/68 with regard to the conditions of admission for certain kinds of cheeses

THE COUNCIL 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 Regulation (EEC) No 662/74 [2], and in particular Article 14 (6) thereof;

Having regard to the proposal from the Commission;

Whereas Article 8 of Council Regulation (EEC) No 823/68 [3] of 28 June 1968 determining the groups of products and the special provisions for calculating levies on milk and milk products, as last amended by Regulation (EEC) No 1354/73 [4], determines, among other things, the method of calculating levies for cheeses falling within subheading Nos 04.04 E I b) 2, 04.04 E I b) 3, and 04.04 E I b) 4 of the Common Customs Tariff in cases where, at the time of importation into the Community, their prices do not fall below certain minima; whereas the marketing situation of the said cheeses allows for an increase in these minimum prices and a consequent decrease in the levy;

Whereas Annex II to Regulation (EEC) No 823/68 specifies certain conditions for the importation into the Community of Emanentaler, Gruyère, Sbrinz, Bergkäse and Appenzell cheeses falling within subheading No 04.04 A I of the Common Customs Tariff; whereas, in particular, the free-at-frontier values corresponding to those bound within GATT are included in these conditions; whereas these values must be aligned with the target prices fixed for Community milk for the 1974/75 milk year;

Whereas the tariff nomenclature set out in Annex II to Regulation (EEC) No 823/68 is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for the text of Article 8 of Regulation (EEC) No 823/68:

'When products in Group 11, originating in and coming from third countries, are imported into the Community at a price not less than:

— 110 units of account per 100 kg for products falling within subheading Nos 04.04 E I b) 2 and 04.04 E I b) 3, or

— 95 units of account per 100 kg for products falling within subheading No 04.04 E I b) 4,

the levy per 100 kg shall be equal:

1. if the product falls within subheading Nos 04.04 E I b) 2 aa) 04.04 E I b) 3 or 04.04 E I b) 4 to the threshold price less 110 units of account,

2. if the product falls within subheading No 04.04 E I b) 2 bb) to the sum of the following components:

   (a) a component equal to the levy calculated in accordance with item 1,

   (b) a component equal to 20 units of account.'

Article 2

The description of goods falling within subheading No 04.04 A I of the Common Customs Tariff and set out in the Annex I to this Regulation shall be substituted for that contained in Annex II to Regulation (EEC) No 823/68.

Article 3

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 shall be amended in accordance with Annex II to this Regulation.

Article 4

This Regulation shall enter into force on 1 April 1974.

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

Done at Brussels, 28 March 1974.

For the Council
The President
J. ERTL

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(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) See p. 51 of this Official Journal.
(3) OJ No L 151, 30. 6. 1968, p. 3.
(4) OJ No L 141, 28. 5. 1973, p. 23.

ANNEX I

CCT heading No	Description
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 in the dry matter, matured for at least 3 months (2) :
	a) Whole cheeses (4) of a free-at-frontier value (5) per 100 kg net weight of :
	1. 165·54 u.a. (a) or more, but less than 185·54 u.a. (a)
	2. 185·54 u.a. (a) or more
	b) Pieces packed in vacuum or in inert gas :
	1. With rind on at least one side, of a net weight :
	aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value (5) of not less than 185·54 u.a. (a) but less than 213·54 u.a. (a) per 100 kg net weight
	bb) Of not less than 450 g and of a free-at-frontier value (5) of not less than 213·54 u.a. (a) per 100 kg net weight
	2. Other, of a net weight of not less than 75 g but not more than 250 g (6) and of a free-at-frontier value (5) of not less than 233·54 u.a. (a) per 100 kg net weight
	II. (unchanged)

(a) For imports into the United Kingdom this free-at-frontier value is reduced by 11·80 u.a. per 100 kg net weight.

ANNEX II

Subheading No 04.04 A I in Chapter 4 of the Common Customs Tariff is amended as follows :

CCT heading No	Description	Rate of Duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
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, in the dry matter, matured for at least 3 months (b) :		
	a) Whole cheeses of a free-at-frontier value per 100 kg net weight of :		
	1. 165·54 u.a. (*) or more, but less than 185·54 u.a. (*)	23 (L)	(a)
	2. 185·54 u.a. (*) or more	23 (L)	(a)
	b) Pieces packed in vacuum or in inert gas :		
	1. With rind on at least one side, of a net weight :		
	(aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 185·54 u.a. (*) but less than 213·54 u.a. (*) per 100 kg net weight	23 (L)	(a)
	(bb) Of not less than 450 g and of a free-at-frontier value of not less than 213·54 u.a. per 100 kg net weight	23 (L)	(a)
	2. Other, of a net weight of not less than 75 g but not more than 250 g and of a free-at-frontier value of not less than 233·54 u.a. (*) per 100 kg net weight	23 (L)	(a)
	II. (unchanged)		

(*) For imports into the United Kingdom this free-at-frontier value is reduced by 11·80 u.a. per 100 kg net weight.