COMMISSION REGULATION (EEC) No 2199/76

of 8 September 1976

fixing the accession compensatory amounts applicable to milk and milk products for the remaining period of the 1976/77 milk year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession [1],

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

Whereas, in so far as under Article 52 of the Act of Accession [3] the prices of butter valid from 16 September 1976 in the new Member States have been fixed at levels differing from the common intervention price, these differences must be offset in accordance with Article 55 (2) of the Act by the application of compensatory amounts ;

Whereas in fixing the compensatory amounts applicable to other dairy products account is to be taken, in accordance with the second subparagraph of Article 86 (1), in particular of the rules for the alignment of prices laid down in Article 52 of the Act ; whereas, however, for products falling within CCT heading No 04.01 for which the compensatory amount applicable has been fixed in accordance with the first subparagraph of Article 87 (1), this compensatory amount must be adapted in accordance with the second paragraph of that Article in order to avoid distortions of competition ;

Whereas for the purposes of application of the new compensatory amounts the detailed rules of application provided for in particular in Commission Regulation (EEC) No 480/73 of 31 January 1973 on detailed rules for the application of compensatory amounts for milk and milk products [4], as last amended by Regulation (EEC) No 2889/73 [5], will continue to apply ;

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 period from 16 September 1976 until the end of the 1976/77 milk year to the products specified in Article 1 of Regulation (EEC) No 804/68 in respect of trade between the original Community and Denmark and between that Community and the other new Member States, in respect of trade between those new Member States and in respect of trade between the latter and third countries, shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 September 1976.

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

Done at Brussels, 8 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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(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.
(5) OJ No L 297, 25. 10. 1973, p. 19.

ANNEX

ACCESSION COMPENSATORY AMOUNTS

CCT heading No	Description of goods	Compensatory amounts (in u.a./100 kg net weight unless otherwise indicated)				
		To be applied by:				
		Original Community and Denmark		Ireland		United Kingdom
		In trade with:				
		Ireland	United Kingdom	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 %	0·35	2·13	1·78	0·35	2·13

		To be applied by:				
		Original Community and Denmark	Ireland	United Kingdom		
		In trade with:				
		Ireland	Third countries	Original Community and Denmark	Ireland	Third countries
	II. Other:					
	a) In immediate packings of a net capacity of two litres or less	0·35	0·35	0·58	0·93	0·58

		Compensatory amounts (in u.a./100 kg net weight unless otherwise indicated)				
		To be applied by:				
		Original Community and Denmark		Ireland		United Kingdom
		In trade with:				
		Ireland	United Kindgom	United Kingdom	Third countries	Third countries
	b) Other, of a fat content, by weight:					
	— Not exceeding 1 %	—	—	—	—	—
	— Exceeding 1 % but not exceeding 2 %	0·14	0·86	0·72	0·14	0·86

CCT heading No	Description of goods	Compensatory amounts (in u.a./100 kg net weight unless otherwise indicated)				
		To be applied by:				
		Original Community and Denmark		Ireland		United Kingdom
		In trade with:				
		Ireland	United Kingdom	United Kingdom	Third countries	Third countries
04.01 *(cont'd)*	— Exceeding 2% but not exceeding 3%	0·24	1·44	1·20	0·24	1·44
	— Exceeding 3% but not exceeding 4%	0·35	2·13	1·78	0·35	2·13
	— Exceeding 4% but not exceeding 5%	0·42	2·59	2·16	0·42	2·59
	— Exceeding 5%	0·52	3·16	2·64	0·52	3·16
	B. Other, of a fat content, by weight, exceeding 6%:					
	— In immediate packings of a net capacity of two litres or less	0·0948 (9)	0·3649 (9)	0·2701 (9)	0·0948 (9)	0·3649 (9)
	— Other	0·0948 (9)	0·5754 (9)	0·4806 (9)	0·0948 (9)	0·5754 (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%	—	—	—	—	—
	— Exceeding 1·5% but not exceeding 25%	0·0948 (9)	0·5754 (9)	0·4806 (9)	0·0948 (9)	0·5754 (9)
	— Exceeding 25% but not exceeding 27%	2·46	14·96	12·50	2·46	14·96
	— Exceeding 27%	0·0948 (9)	0·5754 (9)	0·4806 (9)	0·0948 (9)	0·5754 (9)
	III. Milk and cream, other than in powder or granules, of a fat content, by weight:					
	— Not exceeding 7%	0·0948 (9)	0·5754 (9)	0·4806 (9)	0·0948 (9)	0·5754 (9)
	— Exceeding 7% but not exceeding 8%	0·71	4·32	3·60	0·71	4·32
	— Exceeding 8%	0·0948 (9)	0·5754 (9)	0·4806 (9)	0·0948 (9)	0·5754 (9)

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		To be applied by:				
		Original Community and Denmark		Ireland		United Kingdom
		In trade with:				
		Ireland	United Kingdom	United Kingdom	Third countries	Third countries
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, exceeding 10 % but not exceeding 27 % (2)	—	—	—	1·65	9·76
	b) Other:					
	— Whey	—	—	—	—	—
	— Other, of a fat content, by weight:					
	— Not exceeding 1·5 %	—(10)	—(10)	—(10)	—(10)	—(10)
	— Exceeding 1·5 % but not exceeding 25 %	0·0948 (11)	0·5754 (11)	0·4806 (11)	0·0948 (11)	0·5754 (11)
	— Exceeding 25 % but not exceeding 27 %	0·0246 (12) per kg	0·1496 (12) per kg	0·1250 (12) per kg	0·0246 (12) per kg	0·1496 (12) per kg
	— Exceeding 27 %	0·0948 (11)	0·5754 (11)	0·4806 (11)	0·0948 (11)	0·5754 (11)
	II. Milk and cream, other than in powder or granules:					
	— Whey	—	—	—	—	—
	— Other, of a fat content, by weight:					
	— Not exceeding 8·5 %	0·0948 (11)	0·5754 (11)	0·4806 (11)	0·0948 (11)	0·5754 (11)
	— Exceeding 8·5 % but not exceeding 9·5 %	0·85 (13)	5·18 (13)	4·33 (13)	0·85 (13)	5·18 (13)
	— Exceeding 9·5 %	0·0948 (11)	0·5754 (11)	0·4806 (11)	0·0948 (11)	0·5754 (11)
04.03	Butter, of a fat content, by weight, of:					
	— Less than 80 %	0·0948 (*)	0·5754 (*)	0·4806 (*)	0·0948 (*)	0·5754 (*)
	— 80 % or more but less than 82 %	7·58	46·03	38·45	7·58	46·03

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		To be applied by:				
		Original Community and Denmark		Ireland		United Kingdom
		In trade with:				
		Ireland	United Kingdom	United Kingdom	Third countries	Third countries
04.03 *(cont'd)*	— 82 % or more but less than 84 %	7·77	47·18	39·41	7·77	47·18
	— 84 % or more	0·0948 (9)	0·5754 (9)	0·4806 (9)	0·0948 (9)	0·5754 (9)
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 three months (2) (*)	—	—	—	—	—
	II. Other	2·70	16·40	13·70	2·70	16·40
	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	2·70	16·40	13·70	2·70	16·40
	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 for retail sale (7), of a free-at-frontier value (5) of 150 u.a. or more per 100 kg net weight and of a fat content, by weight, in the dry matter not exceeding 56 % (2)	—	—	—	2·05	12·43
	II. Other, of a fat content, by weight referred to dry matter of:					
	— Less than 19 %	—	—	—	—	—
	— 19 % or more but less than 39 %	1·19	7·25	6·06	1·19	7·25

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		To be applied by:				
		Original Community and Denmark		Ireland		United Kingdom
		In trade with:				
		Ireland	United Kingdom	United Kingdom	Third countries	Third countries
04.04 *(cont'd)*	— 39% or more but less than 49%	2·05	12·43	10·38	2·05	12·43
	— 49% or more	2·96	17·95	14·99	2·96	17·95
	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	2·70	16·40	13·70	2·70	16·40
	— Other	2·03	12·31	10·28	2·03	12·31
	b) Exceeding 47% but not exceeding 72%:					
	1. Cheddar, including Chester:					
	aa) Whole Cheddar cheeses (4), made from unpasteurized milk, of a minimum fat content of 50%, by weight, in the dry matter, matured for at least nine months and of a free-at-frontier value of not less than 207·00 u.a. per 100 kg net weight (2)	—	—	—	2·70	16·40
	bb) Other, of a fat content by weight, referred to dry matter of:					
	— Less than 19%	—	—	—	—	—

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		To be applied by:				
		Original Community and Denmark		Ireland		United Kingdom
		In trade with:				
		Ireland	United Kingdom	United Kingdom	Third countries	Third countries
04.04 *(cont'd)*	— 19% or more but less than 39%	1·42	8·63	7·21	1·42	8·63
	— 39% or more	2·70	16·40	13·70	2·70	16·40
	2. Tilsit and Butterkäse (2)	—	—	—	2·70	16·40
	3. Kashkaval (2)	—	—	—	2·70	16·40
	4. Cheese of sheep's milk or buffalo milk, in containers holding brine, or in sheep or goatskin bottles (2)	—	—	—	2·70	16·40
	5. Other, of a fat content by weight referred to dry matter of:					
	— Less than 19%	—	—	—	—	—
	— 19% or more but less than 39%	1·42	8·63	7·21	1·42	8·63
	— 39% or more	2·70	16·40	13·70	2·70	16·40
	c) Exceeding 72%, of a fat content by weight referred to dry matter of:					
	— Less than 19%	—	—	—	—	—
	— 19% or more but less than 39%	0·85	5·18	4·33	0·85	5·18
	— 39% or more but less than 59%	1·80	10·93	9·13	1·80	10·93
	— 59% or more	2·46	14·96	12·50	2·46	14·96

CCT heading No	Description of goods	Compensatory amounts (in u.a./100 kg net weight unless otherwise indicated)				
		To be applied by:				
		Original Community and Denmark		Ireland		United Kingdom
		In trade with:				
		Ireland	United Kingdom	United Kingdom	Third countries	Third countries
04.04 *(cont'd)*	II. Other:					
	a) Grated or powdered, of a fat content by weight:					
	— Not exceeding 20 %	—	—	—	—	—
	— Exceeding 20 % but not exceeding 27 %	1·90	11·51	9·61	1·90	11·51
	— Exceeding 27 % but not exceeding 34 %	2·70	16·40	13·70	2·70	16·40
	— Exceeding 34 % but not exceeding 39 %	3·32	20·13	16·82	3·32	20·13
	— Exceeding 39 % but not exceeding 44 %	3·79	23·02	19·22	3·79	23·02
	— Exceeding 44 %	4·27	25·90	21·63	4·27	25·90
	b) Other	3·89	23·59	19·70	3·89	23·59
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, on 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	—	—	—	—	—

CCT heading No	Description of goods	Compensatory amounts in respect of trade between the Community as originally constituted and Denmark and between that Community and the other new Member States, of trade between those new Member States and of trade between the latter 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 17.02 B and 17.05 B, or milk products (8):	
	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 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 two coliform bacteria.

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

(4) 'Whole cheeses' means:

— whole cheeses of the conventional flat cylindrical shape of a net weight of not less than 39 kg but not more than 44 kg,

— cubic blocks of cheese of a net weight of not less than 16 kg but not more than 21 kg.

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

(7) For the purposes of this subheading, 'cheese put up for retail sale' means cheese of the kind classified under that subheading put up in immediate packings of a net weight not exceeding 1 kg containing portions or slices of a net weight not exceeding 100 g each.

(8) For the purposes of subheading 23.07 B, 'milk products' means the products falling within heading Nos 04.01, 04.02, 04.03, 04.04 and subheadings 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 products 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 products falling within this subheading is equal to the sum of the following elements:

(a) the amount prescribed, 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 prescribed, 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 prescribed;

(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.

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 to the refund.