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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1087/79

of 1 June 1979

amending Regulation (EEC) No 710/79 as regards certain monetary compensatory amounts in the milk and milk products sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States (1), as last amended by Regulation (EEC) No 987/79 (2), and in particular Articles 3 and 6 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 710/79 of 9 April 1979 (3), as last amended by Regulation (EEC) No 1020/79 (4);

Whereas Commission Regulation (EEC) No 777/79 of 20 April 1979 amending Regulation (EEC) No 710/79 as regards certain monetary compensatory amounts in the milk and milk products sector (5) suspended with effect from 4 June 1979 the application of the monetary compensatory amount for certain cheeses manufactured exclusively from sheep or goat milk; whereas the method of analysis by which these cheeses are to be checked should be laid down; whereas this method could be laid down by inserting a footnote in Part 5 of Annex I to Regulation (EEC) No 710/79;

Whereas Regulation (EEC) 777/79 amended certain monetary compensatory amounts in the milk and milk products sector with effect from 4 June 1979; whereas the new amounts were fixed subject to alteration according to the movement of the exchange rates referred to in Article 2 (1) of Regulation (EEC) No 974/71;

Whereas the amounts published in Regulation (EEC) No 777/79 do not yet take account of the most recent alterations in the monetary compensatory amounts for Italy and the United Kingdom; whereas these amounts should therefore be published again;

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

Part 5 of Annex I to Regulation (EEC) No 710/79 is amended as follows:

1. A note (12) is to be inserted in column 3 (notes) for products falling within subheadings ex 04.04 E I a) and ex 04.04 E I b) 5 of the Common Customs Tariff.

2. The following note shall be added after note (11):

'(12) For cheeses manufactured exclusively from sheep of goat milk:

— the analysis check shall be carried out by immunological methods such as double immuno-diffusion and radial

(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 123, 19. 5. 1979, p. 9.
(3) OJ No L 90, 9. 4. 1979, p. 1.
(4) OJ No L 127, 24. 5. 1979, p. 14.
(5) OJ No L 99, 21. 4. 1979, p. 9.

immuno-diffusion, supplemented as necessary by electrophoresis of the caseins,

— the party concerned shall be obliged, when completing the customs formalities, to state in the declaration provided for this purpose that the cheese in question was manufactured exclusively from sheep and/or goat milk.'

Article 2

The 'Italia' and 'United Kingdom' columns in Part 5 of Annex I to Regulation (EEC) No 710/79 are hereby replaced by those given in the Annex to this Regulation.

Article 3

This Regulation shall enter into force on 4 June 1979.

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

Done at Brussels, 1 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

PART 5

MILK AND MILK PRODUCTS

Monetary compensatory amounts

CCT heading No	Description	Notes	Amounts to be granted on imports and charged on exports			
			United Kingdom £/100 kg (a)	Ireland £/100 kg (a)	Italy Lit/100 kg (a)	France FF/100 kg (a)
1	2	3	7	8	9	10
ex 04.01 A I	With the exception of whey	(10)	0·685 (d)		873 (d)	
04.01 A II		(10)	0·685 (c)		873 (c)	
04.01 B I		(10)	0·612 (d)		780 (d)	
04.01 B II		(10) (11)	0·477 (d)		608 (d)	
04.01 B III		(10) (11)	0·384 (d)		490 (d)	
04.02 A II a) 1		(9)	8·952		11 405	
04.02 A II a) 2		(9)	5·794 (d)		7 382 (d)	
04.02 A II a) 3		(9)	5·794 (d)		7 382 (d)	
04.02 A II a) 4		(9)	4·698 (d)		5 985 (d)	
04.02 A II b) 1		(1) (2) (9)	8·952		11 405	
04.02 A II b) 2		(1) (2) (9)	5·794 (d)		7 382 (d)	
04.02 A II b) 3		(9)	5·794 (d)		7 382 (d)	
04.02 A II b) 4		(9)	4·698 (d)		5 985 (d)	
04.02 A III a)	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(9)	0·685 (d)		873 (d)	
	— of 15 % or more	(9)	1·510 (d)		1 923 (d)	
04.02 A III b)	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(9)	0·548 (d)		698 (d)	
	— of 15 % or more but less than 25 %	(9)	1·510 (d)		1 923 (d)	
	— of 25 % or more but less than 32 %	(9)	2·470 (d)		3 147 (d)	
	— of 32 % or more	(9)	2·745 (d)		3 497 (d)	
04.02 B I a)		(3)	10·713		13 648	
04.02 B I b) 1 aa)		(3)	8·952		11 405	
04.02 B I b) 1 bb)		(3)	5·794 (d)		7 382 (d)	
04.02 B I b) 1 cc)		(3)	4·698 (d)		5 985 (d)	
04.02 B I b) 2 aa)		(3)	8·952		11 405	

CCT heading No	Description	Notes	Amounts to be granted on imports and charged on exports			
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1	2	3	7	8	9	10
04.02 B I b) 2 bb)		(3)	5·794 (d)		7 382 (d)	
04.02 B I b) 2 cc)		(3)	4·698 (d)		5 985 (d)	
04.02 B II a)	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(3)	0·685 (d)		873 (d)	
	— of 15 % or more	(8)	1·926 (d)		2 454 (d)	
04.02 B II b)	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(3)	0·548 (d)		698 (d)	
	— of 15 % or more but less than 25 %	(8)	1·926 (d)		2 454 (d)	
	— of 25 % or more but less than 32 %	(3)	2·477 (d)		3 155 (d)	
	— of 32 % or more	(3)	2·752 (d)		3 506 (d)	
04.03 A	Of a fatty content by weight:					
	— of less than 80 %	(4)	— (b)		— (b)	
	— of 80 % or more but less than 82 %	(4) (5)	21·493		27 383	
	— of 82 % or more	(4) (5)	22·031		28 067	
04.03 B		(4)	— (b)		— (b)	
04.04 A II		(6)	18·028		22 968	
ex 04.04 C	With the exception of Roquefort	(6)	14·830		18 894	
04.04 D II a) 1	Of a fat content by weight in the dry matter:					
	— of less than 10 %	(6)	5·556		7 078	
	— of 10 % or more but less than 30 %	(6)	8·197		10 443	
	— of 30 % or more	(6)	11·993		15 278	
04.04 D II a) 2	Of a fat content by weight in the dry matter:					
	— of less than 55 %	(6)	11·993		15 278	
	— of 55 % or more	(6)	14·222		18 119	
04.04 D II b)		(6)	14·222		18 119	
ex 04.04 E I a)	With the exception of Grana Padano, Parmigiano Reggiano and cheeses manufactured exclusively from sheep milk	(6)	20·309		25 873	
04.04 E I b) 1 bb)		(6)	16·759		21 351	
04.04 E I b) 2		(6)	15·356		19 563	

CCT heading No	Description	Notes	Amounts to be granted on imports and charged on exports			
			United Kingdom £/100 kg (a)	Ireland £/100 kg (a)	Italy Lit/100 kg (a)	France FF/100 kg (a)
1	2	3	7	8	9	10
ex 04.04 E I b) 5	— Asiago, Caciocavallo, Provolone, Ragusano, Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit as well as those cheeses (other than salted Ricotta and those cheeses manufactured exclusively from sheep or goats milk) of a water content, calculated by weight of the non-fatty matter, not exceeding 62 % and of a fat content, by weight, referred to dry matter:					
	— of less than 10 %	(6)	11·389		14 510	
	— of 10 % or more	(6)	15·356		19 563	
	— Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio, Butterkäse as well as those cheeses (excluding those cheeses manufactured exclusively from sheep or goats milk) of a water content, calculated by weight of the non-fatty matter, exceeding 62 % and of a fat content, by weight, referred to dry matter:					
	— of less than 10 %	(6)	7·830		9 976	
	— of 10 % or more	(6)	11·973		15 254	
04.04 E I c)	Of a fat content, by weight in the dry matter:					
	— of less than 10 %	(6)	3·559		4 534	
	— of 10 % or more	(6)	6·042		7 697	
04.04 E II a)		(6)	20·309		25 873	
04.04 E II b)		(6)	12·995		16 556	
23.07 B I a) 3		(7)	—		—	
23.07 B I a) 4		(7)	—		—	
23.07 B I b) 3		(7)	0·182		232	
23.07 B I c) 3		(7)	0·568		724	
23.07 B II		(7)	—		—	

(a) Basic amount per 100 kg net of product.

(b) Supplementary amount per 100 kg net of product for each % of milk fat content: 0·259 | 330

(c) Supplementary amount per 100 kg net of product for each % of milk fat content: 0·243 | 310

(d) Supplementary amount per 100 kg net of product for each % of milk fat content: 0·243 | 310

Notes

(1) For skimmed-milk powder sold pursuant to Regulation (EEC) No 2054/76 (OJ No L 228, 20. 8. 1976) the amount indicated shall be multiplied by the coefficient 0·94. However, the previous coefficient of 0·93 shall continue to apply for skimmed-milk powder of which delivery was taken pursuant to Regulation (EEC) No 2054/76 before 11 February 1979.

For skimmed-milk powder consigned to Italy from another Member State in accordance with Regulation (EEC) No 1624/76 (OJ No L 180, 6. 7. 1976) the amount indicated shall be multiplied by the coefficient 0·55.

For skimmed-milk powder sold pursuant to Regulation (EEC) No 368/77 (OJ No L 52, 24. 2. 1977) or Regulation (EEC) No 443/77 (OJ No L 58, 3. 3. 1977), consigned in the natural state to another Member State, the amount indicated shall be multiplied by the coefficient 0·15.

(2) In intra-Community trade, where the product has been denatured in accordance with Article 2 of Regulation (EEC) No 990/72 (OJ No L 115, 17. 3. 1972), the basic amount and any additional amount shall be replaced by a single amount of:

— £ 4·933 per 100 kg for the United Kingdom,

— Lit 6 285 per 100 kg for Italy.

(3) The basic amount for 100 kg of product falling within this subheading shall be equal to the sum of the following components:

(a) the amount per 100 kg indicated multiplied by 1/100 of the weight of the lactic part contained in 100 kg of product. However, where whey and/or lactose have been added to the product, the amount resulting from the preceding calculation shall be:

— multiplied by the weight of the lactic non-fat part, other than the added whey and/or lactose, contained in 100 kg of the product,

and then

— divided by the weight of the non-fat lactic part contained in 100 kg of the product;

(b) an additional amount for each percentage point of sucrose content of 100 kg net of the product, equal to 1/100 of the amount indicated in Part 7 of this Annex under subheading 17.01 A (undenatured) of the Common Customs Tariff.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose:

— the actual content by weight of added whey and/or added lactose per 100 kg of finished product,

and, in particular:

— the lactose content of the added whey.

(4) However, for butter covered by the measures provided for:

— in Regulation (EEC) No 1282/72 (OJ No L 142, 22. 6. 1972), the amount indicated shall be multiplied by the coefficient 0·40;

— in Regulation (EEC) No 1717/72 (OJ No L 181, 9. 8. 1972), the amount indicated shall be multiplied by the coefficient 0·40;

— in Regulation (EEC) No 649/78 (OJ No L 86, 1. 4. 1978), the amount shall be multiplied by the coefficient 0·40;

— in Regulation (EEC) No 232/75 (OJ No L 24, 31. 1. 1975), the amount indicated shall be multiplied:

— by the coefficient 0·33 where the butter is to be used in formula A products,

— by the coefficient 0·53 where the butter is to be used in formula B products;

— in Regulation (EEC) No 262/79 (OJ No L 41, 16. 2. 1979), the amount shall be multiplied:

— by the coefficient 0·33 where the butter is to be used in formula A or formula C products,

— by the coefficient 0·53 where the butter is to be used in formula B products.

(5) For imports into the United Kingdom from New Zealand pursuant to Protocol 18, the monetary compensatory amount shall be £ 11·017 per 100 kg and the coefficient shall not be applied to the special levy.

(6) With respect to cheese rinds and wastes the monetary compensatory amount applicable shall be that applicable to products of subheading 04.04 E I c) of a fat content, by weight, in the dry matter of 10 % or more. Products unfit as such for human consumption shall be regarded as cheese wastes.

(7) When completing customs formalities, the applicant shall state in the declaration provided for this purpose the content, expressed in actual weight per 100 kg of finished product, of:

— powdered or granulated milk (excluding whey),

— powdered or granulated whey,

— added casein and/or caseinate.

If the milk products contain powdered or granulated milk (excluding whey) the amount shown shall be increased by the following supplementary amounts:

Content by weight in powdered or granulated milk (excluding whey) in the finished product of:	Germany DM/100 kg	Belgium/ Luxembourg Bfrs/Lfrs/ 100 kg	Netherlands Fl/100 kg	United Kingdom £/100 kg	Ireland £/100 kg	Italy Lit/100 kg	France FF/100 kg
More than 12 but less than 30 %				0·987		1 257	
30 or more but less than 50 %				1·973		2 514	
50 or more but less than 70 %				2·960		3 771	
70 or more but less than 80 %				3·700		4 713	
80 % or more				4·193		5 342	

In trade with non-member countries, the coefficient 1·81 shall be applied to the supplementary amounts indicated above. The coefficient shall, however, be 1·71 in the case of products containing skimmed-milk powder sold pursuant to Regulation (EEC) No 2054/76 (OJ No L 228, 20. 8. 1976). The previous coefficient of 1·68 shall nevertheless continue to apply for skimmed-milk powder of which delivery was taken pursuant to Regulation (EEC) No 2054/76 before 11 February 1979.

In intra-Community trade, where the product has not been produced in accordance with Regulation (EEC) No 990/72 (OJ No L 115, 17. 3. 1972), the coefficient 1·81 shall be applied to the supplementary amounts indicated above. However, this coefficient shall not be applied to products consigned to Italy from another Member State in accordance with Regulation (EEC) No 1624/76 (OJ No L 180, 6. 7. 1976).

In intra-Community trade and in trade with third countries, where these products contain:

— skimmed-milk powder sold and denatured in accordance with the provisions of Regulation (EEC) No 368/77 (OJ No L 52, 24. 2. 1977) and Regulation (EEC) No 443/77 (OJ No L 58, 3. 3. 1977) or for which the aid has been granted and skimmed-milk powder which has been denatured in accordance with the provisions of Regulation (EEC) No 1844/77 (OJ No L 205, 11. 8. 1977),

and

— either fish meal or fish oil and/or fish liver oil or iron carbonate and/or iron sulphate and/or copper sulphate,

the supplementary amounts indicated above shall be multiplied by the coefficient 0·27.

(8) The basic amount for 100 kg of product falling within this subheading shall be equal to the sum of the following components:

(a) the amount per 100 kg indicated. However, where whey and/or lactose have been added to the product, the amount indicated shall be:

— multiplied by the weight of the lactic non-fat part other than the added whey and/or added lactose product, and then

— divided by the weight of the non-fat lactic part contained in 100 kg of the product;

(b) an additional amount for each percentage point of sucrose content of 100 kg net of the product, equal to $^{1}/_{100}$ of the amount indicated in Part 7 of this Annex under subheading 17.01 A (undenatured) of the Common Customs Tariff.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose:

— the actual content by weight of added whey and/or added lactose per 100 kg of the product,
and, in particular:
— the lactose content of the added whey.

(9) The basic amount for 100 kg of product falling within this subheading shall be equal to the amount indicated. However, where whey and/or lactose have been added to the product, the basic amount shall be equal to the amount indicated:

— multiplied by the weight of the non-fat part, other than the added whey and/or added lactose, contained in 100 kg of the product,

and then

— divided by the weight of the non-fat part contained in 100 kg of the product.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose:

— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular:
— the lactose content of the added whey.

(10) In the case of products to which whey and/or lactose have been added, no compensatory amount shall be granted. However, the amounts indicated shall apply if compensatory amounts have to be charged.

When completing customs formalities:

— in respect of exports from a Member State with an appreciated currency,

— in respect of imports into a Member State with a depreciated currency,

— in respect of exports from a Member State making use of the option provided for in Article 2a of Regulation (EEC) No 974/71,

the applicant shall state on the declaration provided for this purpose whether or not whey and/or lactose have been added to the product.

(11) For cream covered by the measures provided for in Regulation (EEC) No 649/78 (OJ No L 86, 1. 4. 1978), the monetary compensatory amount shall be multiplied by the coefficient 0·40.

NB: For the calculation of fat content, non-milk fats are not to be taken into account.