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

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 652/79 (2), and in particular Article 6 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 710/79 (3), as last amended by Regulation (EEC) No 748/79 (4);

Whereas a first adjustment of the coefficients for calculating the monetary compensatory amounts was made in respect of milk and milk products by Commission Regulation (EEC) No 1824/77 (5); whereas a thorough study has led to the conclusion that it is possible to make a further adjustment in order to exclude from the calculation processing costs, not including overhead expenses relating to fresh milk; whereas, moreover, some cheeses obtained from milk other than cow milk may be excluded from the list of products subject to monetary compensatory amounts;

Whereas provision should be made for a transitional period to enable the trade to adjust to the new situation created by the reduction of the monetary compensatory amounts; whereas, in order to avoid a speculative rush of applications for import or export licences, it is appropriate to suspend temporarily in respect of the products in question the advance fixing of the monetary compensatory amounts governed by Commission Regulation (EEC) No 243/78 (6);

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Part 5 of Annex I to Regulation (EEC) No 710/79 is replaced by the Annex to this Regulation, subject to the amounts indicated therein being altered depending on movements in the exchange rates referred to in Article 2 (1) of Regulation (EEC) No 974/71.

Article 2

As regards the products referred to in the Annex, the advance fixing of the monetary compensatory amount shall be suspended until 3 June 1979.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

The alteration of the monetary compensatory amounts shall take effect from 4 June 1979.

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

Done at Brussels, 20 April 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 84, 4. 4. 1979, p. 1.
(3) OJ No L 90, 9. 4. 1979, p. 1.
(4) OJ No L 95, 16. 4. 1979, p. 11.
(5) OJ No L 203, 9. 8. 1977, p. 7.
(6) OJ No L 37, 7. 2. 1978, p. 5.

PART 5

MILK AND MILK PRODUCTS

Monetary compensatory amounts

CCT heading No	Description	Notes	Amounts to be charged on imports and granted on exports		
			Germany DM/100 kg (a)	Belg./Lux. Bfrs/Lfrs/100 kg (a)	Netherlands Fl/100 kg (a)
1	2	3	4	5	6
ex 04.01 A I	With the exception of whey	(10)	2·70 (d)	11·9 (d)	0·82 (d)
04.01 A II		(10)	2·70 (c)	11·9 (c)	0·82 (c)
04.01 B I		(10)	2·41 (d)	10·7 (d)	0·74 (d)
04.01 B II		(10) (11)	1·88 (d)	8·3 (d)	0·57 (d)
04.01 B III		(10) (11)	1·51 (d)	6·7 (d)	0·46 (d)
04.02 A II a) 1		(9)	35·20	156·0	10·76
04.02 A II a) 2		(9)	22·78 (d)	101·0 (d)	6·96 (d)
04.02 A II a) 3		(9)	22·78 (d)	101·0 (d)	6·96 (d)
04.02 A II a) 4		(9)	18·47 (d)	81·9 (d)	5·64 (d)
04.02 A II b) 1		(1) (2) (9)	35·20	156·0	10·76
04.02 A II b) 2		(1) (2) (9)	22·78 (d)	101·0 (d)	6·96 (d)
04.02 A II b) 3		(9)	22·78 (d)	101·0 (d)	6·96 (d)
04.02 A II b) 4		(9)	18·47 (d)	81·9 (d)	5·64 (d)
04.02 A III a)	Of a non-fatty lactic dry matter content, by weight:				
	— of less than 15 %	(9)	2·70 (d)	11·9 (d)	0·82 (d)
	— of 15 % or more	(9)	5·94 (d)	26·3 (d)	1·81 (d)
04.02 A III b)	Of a non-fatty lactic dry matter content, by weight:				
	— of less than 15 %	(9)	2·15 (d)	9·6 (d)	0·66 (d)
	— of 15 % or more but less than 25 %	(9)	5·94 (d)	26·3 (d)	1·81 (d)
	— of 25 % or more but less than 32 %	(9)	9·71 (d)	43·0 (d)	2·97 (d)
	— of 32 % or more	(9)	10·79 (d)	47·8 (d)	3·30 (d)
04.02 B I a)		(3)	42·12	186·7	12·87
04.02 B I b) 1 aa)		(3)	35·20	156·0	10·76
04.02 B I b) 1 bb)		(3)	22·78 (d)	101·0 (d)	6·96 (d)
04.02 B I b) 1 cc)		(3)	18·47 (d)	81·9 (d)	5·64 (d)
04.02 B I b) 2 aa)		(3)	35·20	156·0	10·76

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)	0·715 (d)		998 (d)	2·55 (d)
04.01 A II		(10)	0·715 (c)		998 (c)	2·55 (c)
04.01 B I		(10)	0·638 (d)		891 (d)	2·28 (d)
04.01 B II		(10) (11)	0·497 (d)		694 (d)	1·77 (d)
04.01 B III		(10) (11)	0·401 (d)		560 (d)	1·43 (d)
04.02 A II a) 1		(9)	9·335		13 034	33·31
04.02 A II a) 2		(9)	6·043 (d)		8 437 (d)	21·56 (d)
04.02 A II a) 3		(9)	6·043 (d)		8 437 (d)	21·56 (d)
04.02 A II a) 4		(9)	4·899 (d)		6 840 (d)	17·48 (d)
04.02 A II b) 1		(1) (2) (9)	9·335		13 034	33·31
04.02 A II b) 2		(1) (2) (9)	6·043 (d)		8 437 (d)	21·56 (d)
04.02 A II b) 3		(9)	6·043 (d)		8 437 (d)	21·56 (d)
04.02 A II b) 4		(9)	4·899 (d)		6 840 (d)	17·48 (d)
04.02 A III a)	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(9)	0·715 (d)		998 (d)	2·55 (d)
	— of 15 % or more	(9)	1·574 (d)		2 198 (d)	5·62 (d)
04.02 A III b)	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(9)	0·572 (d)		798 (d)	2·04 (d)
	— of 15 % or more but less than 25 %	(9)	1·574 (d)		2 198 (d)	5·62 (d)
	— of 25 % or more but less than 32 %	(9)	2·576 (d)		3 597 (d)	9·19 (d)
	— of 32 % or more	(9)	2·862 (d)		3 996 (d)	10·21 (d)
04.02 B I a)		(3)	11·172		15 598	39·86
04.02 B I b) 1 aa)		(3)	9·335		13 034	33·31
04.02 B I b) 1 bb)		(3)	6·043 (d)		8 437 (d)	21·56 (d)
04.02 B I b) 1 cc)		(3)	4·899 (d)		6 840 (d)	17·48 (d)
04.02 B I b) 2 aa)		(3)	9·335		13 034	33·31

CCT heading No	Description	Notes	Amounts to be charged on imports and granted on exports		
			Germany DM/100 kg (a)	Belg./Lux. Bfrs/Lfrs/100 kg (a)	Netherlands Fl/100 kg (a)
1	2	3	4	5	6
04.02 B I b) 2 bb)		(3)	22·78 (d)	101·0 (d)	6·96 (d)
04.02 B I b) 2 cc)		(3)	18·47 (d)	81·9 (d)	5·64 (d)
04.02 B II a)	Of a non-fatty lactic dry matter content, by weight:				
	— of less than 15 %	(3)	2·70 (d)	11·9 (d)	0·82 (d)
	— of 15 % or more	(8)	7·57 (d)	33·6 (d)	2·31 (d)
04.02 B II b)	Of a non-fatty lactic dry matter content, by weight:				
	— of less than 15 %	(3)	2·15 (d)	9·6 (d)	0·66 (d)
	— of 15 % or more but less than 25 %	(8)	7·57 (d)	33·6 (d)	2·31 (d)
	— of 25 % or more but less than 32 %	(3)	9·74 (d)	43·2 (d)	2·98 (d)
	— of 32 % or more	(3)	10·82 (d)	48·0 (d)	3·31 (d)
04.03 A	Of a fatty content by weight:				
	— of less than 80 %	(4)	— (b)	— (b)	— (b)
	— of 80 % or more but less than 82 %	(4) (5)	84·50	374·5	25·82
	— of 82 % or more	(4) (5)	86·62	383·9	26·47
04.03 B		(4)	— (b)	— (b)	— (b)
04.04 A II		(6)	70·88	314·1	21·66
ex 04.04 C	With the exception of Roquefort	(6)	58·31	258·4	17·82
04.04 D II a) 1	Of a fat content by weight in the dry matter:				
	— of less than 10 %	(6)	21·84	96·8	6·68
	— of 10 % or more but less than 30 %	(6)	32·23	142·8	9·85
	— of 30 % or more	(6)	47·15	209·0	14·41
04.04 D II a) 2	Of a fat content by weight in the dry matter:				
	— of less than 55 %	(6)	47·15	209·0	14·41
	— of 55 % or more	(6)	55·92	247·8	17·09
04.04 D II b)		(6)	55·92	247·8	17·09
ex 04.04 E I a)	With the exception of Grana Padano, Parmigiano Reggiano and cheeses manufactured exclusively from sheep milk	(6)	79·85	353·9	24·40
04.04 E I b) 1 bb)		(6)	65·89	292·0	20·13
04.04 E I b) 2		(6)	60·37	267·6	18·45

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
04.02 B I b) 2 bb)		(3)	6·043 (d)		8 437 (d)	21·56 (d)
04.02 B I b) 2 cc)		(3)	4·899 (d)		6 840 (d)	17·48 (d)
04.02 B II a)	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(3)	0·715 (d)		998 (d)	2·55 (d)
	— of 15 % or more	(8)	2·009 (d)		2 805 (d)	7·17 (d)
04.02 B II b)	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(3)	0·572 (d)		798 (d)	2·04 (d)
	— of 15 % or more but less than 25 %	(8)	2·009 (d)		2 805 (d)	7·17 (d)
	— of 25 % or more but less than 32 %	(3)	2·583 (d)		3 606 (d)	9·21 (d)
	— of 32 % or more	(3)	2·870 (d)		4 007 (d)	10·24 (d)
04.03 A	Of a fatty content by weight:					
	— of less than 80 %	(4)	— (b)		— (b)	— (b)
	— of 80 % or more but less than 82 %	(4) (5)	22·415		31 294	79·97
	— of 82 % or more	(4) (5)	22·975		32 077	81·97
04.03 B		(4)	— (b)		— (b)	— (b)
04.04 A II		(6)	18·801		26 249	67·08
ex 04.04 C	With the exception of Roquefort	(6)	15·466		21 593	55·18
04.04 D II a) 1	Of a fat content by weight in the dry matter:					
	— of less than 10 %	(6)	5·794		8 090	20·67
	— of 10 % or more but less than 30 %	(6)	8·548		11 934	30·50
	— of 30 % or more	(6)	12·506		17 461	44·62
04.04 D II a) 2	Of a fat content by weight in the dry matter:					
	— of less than 55 %	(6)	12·506		17 461	44·62
	— of 55 % or more	(6)	14·831		20 707	52·91
04.04 D II b)		(6)	14·831		20 707	52·91
ex 04.04 E I a)	With the exception of Grana Padano, Parmigiano Reggiano and cheese manufactured exclusively from sheep milk	(6)	21·179		29 569	75·56
04.04 E I b) 1 bb)		(6)	17·477		24 401	62·35
04.04 E I b) 2		(6)	16·014		22 358	57·13

CCT heading No	Description	Notes	Amounts to be charged on imports and granted on exports		
			Germany DM/100 kg (a)	Belg./Lux. Bfrs/Lfrs/100 kg (a)	Netherlands Fl/100 kg (a)
1	2	3	4	5	6
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)	44·78	198·5	13·68
	— of 10 % or more	(6)	60·37	267·6	18·45
	— 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)	30·79	136·4	9·41
	— of 10 % or more	(6)	47·07	208·6	14·38
04.04 E I c)	Of a fat content, by weight in the dry matter:				
	— of less than 10 %	(6)	13·99	62·0	4·28
	— of 10 % or more	(6)	23·75	105·3	7·26
04.04 E II a)		(6)	79·85	353·9	24·40
04.04 E II b)		(6)	51·09	226·4	15·61
23.07 B I a) 3		(7)	—	—	—
23.07 B I a) 4		(7)	—	—	—
23.07 B I b) 3		(7)	0·70	3·1	0·21
23.07 B I c) 3		(7)	2·18	9·6	0·66
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:			1·02	4·5	0·31
(c) Supplementary amount per 100 kg net of product for each % of milk fat content:			0·96	4·2	0·29
(d) Supplementary amount per 100 kg net of product for each % of milk fat content:			0·96	4·2	0·29

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)	11·878		16 583	42·38
	— of 10 % or more	(6)	16·014		22 358	57·13
	— 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)	8·166		11 401	29·13
	— of 10 % or more	(6)	12·486		17 433	44·55
04.04 E I c)	Of a fat content, by weight in the dry matter:					
	— of less than 10 %	(6)	3·712		5 182	13·24
	— of 10 % or more	(6)	6·301		8 797	22·48
04.04 E II a)		(6)	21·179		29 569	75·56
04.04 E II b)		(6)	13·552		18 921	48·35
23.07 B I a) 3		(7)	—		—	—
23.07 B I a) 4		(7)	—		—	—
23.07 B I b) 3		(7)	0·190		265	0·68
23.07 B I c) 3		(7)	0·592		827	2·11
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:			0·270		377	0·96
(c) Supplementary amount per 100 kg net of product for each % of milk fat content:			0·253		354	0·90
(d) Supplementary amount per 100 kg net of product for each % of milk fat content:			0·253		354	0·90

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:

— DM	19·39	per 100 kg for Germany,
— Bfrs/Lfrs	86·00	per 100 kg for Belgium/Luxembourg,
— Fl	5·93	per 100 kg for the Netherlands,
— £	5·144	per 100 kg for the United Kingdom,
— Lit	7 182	per 100 kg for Italy,
— FF	18·35	per 100 kg for France.

(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 £ 11·489 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 %	3·88	17·2	1·19	1·029		1 436	3·67
30 or more but less than 50 %	7·76	34·4	2·37	2·058		2 873	7·34
50 or more but less than 70 %	11·64	51·6	3·56	3·087		4 309	11·01
70 or more but less than 80 %	14·55	64·5	4·44	3·858		5 387	13·76
80 % or more	16·49	73·1	5·04	4·373		6 105	15·60

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.