COMMISSION REGULATION (EEC) No 3043/80

of 25 November 1980

altering the export refunds 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 of 27 June 1968 on the common organization of the market in milk and milk products [1], as last amended by Regulation (EEC) No 1761/78 [2], and in particular Article 17 (5) thereof,

Whereas the export refunds on milk and milk products were fixed by Commission Regulation (EEC) No 2943/80 [3];

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2943/80 to the information known to the Commission that the export refunds for the products listed in the Annex hereto should be altered to the amounts set out therein,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2943/80, are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

Article 2

This Regulation shall enter into force on 26 November 1980.

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

Done at Brussels, 25 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

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(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 204, 28. 7. 1978, p. 6.
(3) OJ No L 305, 14. 11. 1980, p. 27.

ANNEX

to the Commission Regulation of 25 November 1980 altering the export refunds on milk and milk products

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)	
04.02	Milk and cream, preserved, concentrated or sweetened :			
	A. Not containing added sugar (8) :			
	II. Milk and cream, in powder or granules :			
	a) In immediate packings of a net capacity of 2·5 kilograms or less and of a fat content, by weight :			
	1. Not exceeding 1·5 %	0620 00	30·00	(40·00) (9)
	2. Exceeding 1·5 % but not exceeding 27 % :			
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	30·00	(40·00) (9)
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	62·48	
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	68·83	
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	77·00	
	3. Exceeding 27 % but not exceeding 29 %	0820 00	79·07	
	4. Exceeding 29 % :			
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	80·73	
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	0920 30	91·11	
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	0920 40	94·64	
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	0920 50	106·89	
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	0920 60	115·71	
	(ff) Of a fat content, by weight, exceeding 79 %	0920 70	124·53	
	b) Other, of a fat weight content :			
	1. Not exceeding 1·5 %	1020 00	30·00	(40·00) (9)
	2. Exceeding 1·5 % but not exceeding 27 % :			
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	30·00	(40·00) (9)
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	62·48	
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	68·83	
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	77·00	

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 *(cont'd)*	3. Exceeding 27 % but not exceeding 29 %	1220 00	79·07
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	80·73
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	1320 30	91·11
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	1320 40	94·64
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	1320 50	106·89
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	1320 60	115·71
	(ff) Of a fat content, by weight, exceeding 79 %	1320 70	124·53
	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net content of 2·5 kg or less and of a non-fat content by weight not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8·9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 12	—
	(22) Exceeding 3 %, by weight	1420 22	6·64
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7·4 %	1420 60	15·66
	(33) Exceeding 7·4 %	1420 70	20·77
	2. Other, of a non fat lactic dry matter content :		
	(aa) Of less than 15 %, by weight	1520 10	18·36
	(bb) Of 15 % or more, by weight	1520 20	24·64
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1620 70	—
	(22) Exceeding 3 %, by weight, but not exceeding 8·9 %	1630 00	6·64
	(33) Exceeding 8·9 %, by weight, but not exceeding 11 %	1630 10	18·36
	(44) Exceeding 11 %, by weight, but not exceeding 21 %	1630 20	23·58
	(55) Exceeding 21 %, by weight, but not exceeding 39 %	1630 30	40·95
	(66) Exceeding 39 %	1630 40	72·22
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1630 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7·4 %	1630 60	15·66
	(33) Exceeding 7·4 %, by weight, but not exceeding 8·9 %	1630 70	20·77
	(44) Exceeding 8·9 %	1630 80	24·64
	2. Exceeding 45 %	1720 00	82·65

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)	
04.02 *(cont'd)*	B. Containing added sugar :			
	I. Milk and cream, in powder or granules :			
	ex b) Other, excluding whey :			
	1. In immediate packings of a net capacity of 2·5 kilograms or less and of a fat content, by weight :			
	aa) Not exceeding 1·5 %	2220 00	0·3000 (4) per kg	(0·4000) (4) (9) per kg
	bb) Exceeding 1·5 % but not exceeding 27 % :			
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0·3000 (4) per kg	(0·4000) (4) (9) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0·6248 (4) per kg	
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0·6883 (4) per kg	
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	0·7700 (4) per kg	
	cc) Exceeding 27 % :			
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	0·7907 (4) per kg	
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	0·9111 (4) per kg	
	2. Other, of a fat content, by weight :			
	aa) Not exceeding 1·5 %	2520 00	0·3000 (4) per kg	(0·4000) (4) (9) per kg
	bb) Exceeding 1·5 % but not exceeding 27 % :			
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0·3000 (4) per kg	(0·4000) (4) (9) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0·6248 (4) per kg	
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0·6883 (4) per kg	
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0·7700 (4) per kg	
	cc) Exceeding 27 % :			
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0·7907 (4) per kg	
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	0·9111 (4) per kg	
	ex II. Milk and cream, excluding whey other than in powder or granules :			
	ex a) In immediate packings of a net capacity of 2·5 kg or less and of a fat content by weight not exceeding 9·5 % :			
	(1) Of a fat content, by weight, not exceeding 6·9 % and of a non fat lactic dry matter content :			

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 *(cont'd)*	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	2810 11	— (4) per kg
	(22) Exceeding 3 %, by weight	2810 12	0·0664 (4) per kg
	(bb) Of 15 % or more	2810 15	13·25 (5)
	(2) Of a fat content, by weight, exceeding 6·9 % and of a non fat lactic dry matter content, by weight, of 15 % or more	2810 20	25·52 (5)
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
	(aa) Of a fat content, by weight, not exceeding 6·9 % and of a non fat lactic dry matter content, by weight, of 15 % or more	2910 70	13·25 (5)
	(bb) Of a fat content, by weight, exceeding 6·9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more	2910 76	25·52 (5)
	(cc) Of a fat content by weight, exceeding 9·5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 %	2910 80	0·2010 (4) per kg
	(dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	2910 85	0·4095 (4) per kg
	(ee) Of a fat content, by weight, exceeding 39 %	2910 90	0·7222 (4) per kg
	2. Exceeding 45 %	3010 00	0·8265 (4) per kg

(1) When the product falling within this subheading is a mixture containing added whey and/or added lactose, no export refund shall be granted.

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

(2) The weight of the added non-lactic matter and/or added lactose shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose, the added whey and/or added lactose shall not be taken into account in the calculation of the amount of refund.

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.

(4) The weight of added non-lactic matter and/or added lactose shall not be taken into account for the purpose of calculating the fat content, by weight.

The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components :

(a) the amount per kilogram shown, multiplied by 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 per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose, contained in 100 kg of product ;

(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

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.

(5) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements :

(a) the amount per 100 kg shown ; however, where whey and/or lactose have been added to the product, the amount per 100 kg shown shall be :

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

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

(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

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.

(6) No refund shall be applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.

(7) This amount applies to the net weight, minus the weight of the brine.

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

— the skimmed-milk powder content, by weight,

— the content by weight of the added whey and/or lactose, and

— the lactose content of the added whey

per 100 kg of finished product.

(9) The amount between brackets is valid only in the context of advance fixing of the refund for products in respect of which the customs formalities referred to in (b) of the second subparagraph of Article 9 (3) (b) of Regulation (EEC) No 193/75 will be completed only as from 1 January 1981.

N.B. : — Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 242/80.

— 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras al Khaimah), Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.