COMMISSION REGULATION (EEC) No 1379/81

of 22 May 1981

amending Regulations (EEC) No 1054/68 and (EEC) No 2965/79 in respect of admission of certain cheeses into certain tariff headings

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 the Act of Accession of Greece, and in particular Article 14 (7) thereof,

Whereas Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies for milk and milk products (2) was amended by Regulation (EEC) No 853/81 (3) *inter alia* to implement the provisions concerning the concession granted by the Community to Switzerland within GATT concerning Vacherin fribourgeois and Tête de moine cheeses falling within subheading 04.04 A I of the Common Customs Tariff;

Whereas import of the said cheeses under the system provided for in the concession is subject to submission of an IMA 1 certificate; whereas Commission Regulation (EEC) No 2965/79 of 18 December 1979 defining the conditions for the admission of certain milk products to certain tariff headings (4), as last amended by Regulation (EEC) No 1625/80 (5), lays down the rules for drawing up the certificates in Annex II; whereas it is therefore necessary to include the cheeses in question;

Whereas, pursuant to the provisions of Article 5 (1) of Regulation (EEC) No 2965/79, a certificate is valid only if it is duly completed and authenticated by an issuing agency appearing on a list to be drawn up; whereas the Annex to Commission Regulation (EEC) No 1054/68 of 23 July 1968 determining the list of agencies certifying the admissibility to certain tariff headings of certain milk products from third countries (6), as last amended by Regulation (EEC) No 2966/79 (7), draws up that list; whereas the Swiss authorities have recognized the 'Société suisse des fabricants du fromage à pâte molle et mi-dure SFPM' in Berne as the issuing agency for certificates for Vacherin fribourgeois and Tête de moine cheeses falling within subheading 04.04 A I; whereas it is accordingly necessary to insert the name of that agency in the Annex to the said Regulation; whereas, at the same time, the references to Regulations (EEC) No 1053/68 and (EEC) No 823/68 in Article 1 (1) and (2) of the said Regulation should be replaced by references to the Regulations in force at present;

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

Regulation (EEC) No 1054/68 is hereby amended as follows:

1. In Article 1 (1), 'Regulation (EEC) No 1053/68' is replaced by 'Regulation (EEC) No 2965/79'.
2. In Article 1 (2), 'Regulation (EEC) No 823/68' is replaced by 'Regulation (EEC) No 2915/79'.
3. In the Annex, in respect of Switzerland, the following entry is inserted:

Third countries	Tariff heading of products		Issuing agency	
			Designation	Location
Switzerland	ex 04.04 A I	Vacherin fribourgeois Tête de moine	Société suisse des fabricants de fromages à pâte molle et mi-dure SFPM	Berne

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 329, 24. 12. 1979, p. 1.
(3) OJ No L 90, 4. 4. 1981, p. 8.
(4) OJ No L 336, 29. 12. 1979, p. 15.
(5) OJ No L 162, 27. 6. 1980, p. 32.
(6) OJ No L 179, 25. 7. 1968, p. 25.
(7) OJ No L 336, 29. 12. 1979, p. 21.

Article 2

Annex II to Regulation (EEC) No 2965/79 is hereby amended as follows :

1. Chapter B is replaced by the following :

'B. As regards Emmentaler, Gruyère, Sbrinz, Bergkäse, Appenzell, Vacherin fribourgeois or Tête de moine cheeses falling within subheading 04.04 A I of the Common Customs Tariff,

1. Box 7 by specifying, as appropriate, "Emmentaler cheese", "Gruyère cheese", "Sbrinz cheese", "Bergkäse cheese", "Appenzell", "Vacherin fribourgeois" or "Tête de moine" and, as appropriate,

"in standard whole cheeses" (1),

"in vacuum-packed pieces with the rind on one side at least, and of a net weight not less than 1 kg or more than 5 kg",

"in vacuum-packed pieces with the rind on one side at least, and of a net weight not less than 1 kg",

"in vacuum packed pieces of a weight less than 450 g".

2. Box 10 by specifying "exclusively home-produced cows milk".

3. Box 11 by specifying "at least 45 %".

4. Boxes 14 and 15.'

2. The following indents are added to note (1) to point 1 of Chapter B :

'— Vacherin fribourgeois : from 6 kg to 10 kg inclusive,

— Tête de moine : from 0·7 kg to 4 kg inclusive.'

Article 3

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

At the request of persons concerned, it shall apply with effect from 6 April 1981.

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

Done at Brussels, 22 May 1981.

For the Commission

Poul DALSAGER

Member of the Commission