COMMISSION REGULATION (EEC) No 3281/83

of 18 November 1983

amending Regulation (EEC) No 1245/83 in respect of the monetary compensatory amounts applicable to cheese rinds and wastes

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 2025/83 (2), and in particular Article 6 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 have been laid down in Commission Regulation (EEC) No 1245/83 (3), as last amended by Regulation (EEC) No 3214/83 (4);

Whereas the compensatory amounts for cheese rinds and wastes have been fixed at a relatively low level to take account of their small value; whereas, however, the present definition of cheese wastes is open to different interpretations; whereas, therefore, a maximum value should be fixed, below which a product is considered to be cheese of low value; whereas the difference between the compensatory amounts for fresh cheeses and for cheese rinds and wastes has created artificial trade flows between Member States; whereas, to discourage such trade, a compensatory amount should no longer be granted for the latter products and any amount charged should be the full amount;

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

Note (5) in part 5 of Annex I to Regulation (EEC) No 1245/83 is hereby replaced by the following:

'(5) No monetary compensatory amount shall be paid in respect of exported cheese of which the free-at-frontier price, before application of a monetary compensatory amount in the exporting Member State, is less than 140 ECU per 100 kg.

Where cheese of low value, as defined above, is being exported from one Member State to another, the document used to show that the cheese is of Community origin shall contain, in the box labelled "designation of goods", one of the following references:

"Cheese of low value in accordance with note (5) in Annex I to the Regulation fixing monetary compensatory amounts"

"Osteprodukter af ringe værdi, anvendelse af fodnote (5) i bilag I til forordningen om fastsættelse af monetære udligningsbeløb"

"Käseerzeugnisse mit geringem Wert, Anwendung Fußnote (5) zum Anhang I der Verordnung zur Festsetzung der Währungsausgleichsbeträge"

"Προϊόντα τυριών χαμηλής αξίας, εφαρμογή σημείωσης (5) του παραρτήματος I του κανονισμού που καθορίζει τα νομισματικά εξισωτικά ποσά"

"Fromages de faible valeur, application note (5) de l'annexe I du règlement fixant les montants compensatoires monétaires"

"Prodotti di formaggi di scarso valore, applicazione della nota (5) dell'allegato I del regolamento che fissa gli importi compensativi monetari"

"Kaasprodukten van geringe waarde, toepassing van voetnoot (5) van bijlage I bij de verordening tot vaststelling van de monetaire compenserende bedragen".

No monetary compensatory amount shall be granted in the importing Member State where the document showing the Community origin of the product in question contains one of the above wordings.

If the cheese is being imported from a non-Community country, no monetary compensatory amount shall be granted where the free-at-frontier price, corrected to take account of the levy and the monetary compensatory amount for cheese of normal value, is less than 140 ECU per 100 kg.'

Article 2

This Regulation shall enter into force on 2 January 1984.

(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 199, 22. 7. 1983, p. 11.
(3) OJ No L 135, 23. 5. 1983, p. 3.
(4) OJ No L 318, 16. 11. 1983, p. 8.

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

Done at Brussels, 18 November 1983.

For the Commission

Poul DALSAGER

Member of the Commission