COMMISSION REGULATION (EEC) No 3693/91

of 17 December 1991

amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff [1], as last amended by Regulation (EEC) No 3537/91 [2], and in particular Article 9 thereof,

Whereas Regulation (EEC) No 2658/87 established the nomenclature of goods hereinafter referred to as the combined nomenclature, which serves the purposes both of the Community's common customs tariff and of its external trade statistics;

Whereas in order to ensure uniform application of the combined nomenclature, it is necessary to adopt provisions concerning the classification of cheese for processing;

Whereas CN code 0406 90 11 covers cheese for processing; whereas pursuant to Annex I (i) to Regulation (EEC) No 1767/82 of 1 July 1982 laying down detailed rules for applying specific import levies on certain milk products [3], as last amended by Regulation (EEC) No 1502/90 [4], a reduced levy applies on an autonomous basis to imports of some cheeses falling within this code; whereas where the reduced levy is applied, the cheeses are subject to the formalities provided for by Commission Regulation (EEC) No 4142/87 of 9 December 1987 determining the conditions under which certain goods are eligible on import for a favourable tariff arrangement by reason of their end-use [5], as last amended by Regulation (EEC) No 1419/91 [6]; whereas footnotes should be added to CN code 0406 90 11 referring to the reduced levy and the end-use; whereas Regulation (EEC) No 2658/87 should be amended accordingly;

Whereas the provisions of this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2658/87 is amended as follows:

1. CN code 0406 90 11 reads:

'CN code	Description	Rate of duty		Supplementary unit
		autonomous % or levy (AGR)	conventional %	
1	2	3	4	5
0406 90 11	– – For processing (5)	23 (AGR) (2)	(3)	—'

2. the following is added as footnote 5:

'(5) Admission under this subheading is subject to the conditions laid down by the relevant Community provisions.'

(1) OJ No L 256, 7. 9. 1987, p. 1.
(2) OJ No L 335, 6. 12. 1991, p. 9.
(3) OJ No L 196, 5. 7. 1982, p. 1.
(4) OJ No L 141, 2. 6. 1990, p. 5.
(5) OJ No L 387, 31. 12. 1987, p. 1.
(6) OJ No L 135, 30. 5. 1991, p. 30.

Article 2

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities.*

It shall apply from 1 January 1992.

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

Done at Brussels, 17 December 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission