COMMISSION REGULATION (EEC) No 1682/92

of 29 June 1992

setting the accession compensatory amounts for milk and milk products for trade between Portugal and the other Member States of the Community and between Portugal and third countries and repealing Regulations (EEC) No 3813/90 and (EEC) No 3814/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3640/90 of 11 December 1990 determining the general rules of the system of accession compensatory amounts for milk and milk products during the second stage of the accession of Portugal (1), and in particular Article 6 thereof,

Whereas Articles 310 (2) and 311 of the Act of Accession of Spain and Portugal set rules for determining the accession compensatory amounts applicable in trade between the Community of Ten and Portugal; whereas in view of the market prices pertaining for products obtained exclusively from sheep and/or goat milk no amounts need be set for these products;

Whereas Commission Regulation (EEC) No 3813/90 (2), as last amended by Regulation (EEC) No 3677/91 (3), set the accession compensatory amounts applicable to milk products from 1 January 1991 in trade between the Community of Ten and Portugal and between Portugal and third countries;

Whereas the lower intervention price for skimmed milk powder in Portugal set by Council Regulation (EEC) No 1373/92 (4) with effect from the beginning of the 1992/93 milk year necessitates adjustment from the same date of the accession compensatory amounts applicable to milk products in Portugal;

Whereas Commission Regulation (EEC) No 3814/90 (5), as last amended by Regulation (EEC) No 3679/91 (6), set monetary compensatory amounts for trade between Spain and Portugal in milk and milk products; whereas since the common prices apply in Spain from 1 June 1992 such amounts are no longer needed;

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

The accession compensatory amounts applicable in trade between Portugal and the other Member States of the Community and between Portugal and third countries in milk and milk proudcts as indicated in the Annex hereto shall be those shown in that Annex.

No amount shall, however, be applicable on milk products of CN codes 0401, 0402, 0403 or 0404 containing goats' or sheeps' milk or cream.

Article 2

Regulations (EEC) No 3813/90 and (EEC) No 3814/90 are hereby repealed.

Article 3

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

It shall apply with effect from 1 June 1992.

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

Done at Brussels, 29 June 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 362, 27. 12. 1990, p. 3.
(2) OJ No L 366, 29. 12. 1990, p. 18.
(3) OJ No L 349, 18. 12. 1991, p. 18.
(4) OJ No L 147, 29. 5. 1992, p. 1.
(5) OJ No L 366, 29. 12. 1990, p. 24.
(6) OJ No L 349, 18. 12. 1991, p. 27.

ANNEX

Accession compensatory amounts applicable in trade between Portugal and the other Member States of the Community and between Portugal and third countries

(Amounts to be charged on imports and granted on exports by Portugal unless otherwise indicated)

CN code	Description of goods	Compensatory amount in ECU/100 kg net weight (except where otherwise indicated)
ex 0401	Milk and cream, not concentrated nor contanining added sugar or other sweetening matter, excluding goat's or sheep's milk and cream	(1)
ex 0402	Milk and cream, concentrated or containing added sugar or other sweetening matter, excluding goat's or sheep's milk and cream :	
0402 10	– in powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % :	
	– – not containing added sugar or other sweetening matter :	
0402 10 11	– – – in immediate packings of a net content not exceeding 2,5 kg :	
	– – – – for human consumption (2)	34,57
	– – – – other	—
0402 10 19	– – – other :	
	– – – – for human consumption (2)	34,57
	– – – – other	—
	– – other (containing sugar or other sweetening matter)	0,3457 per kg (4)
	– in powder, granules or other solid forms, with a fat content, by weight, exceeding 1,5 % :	
0402 21	– – not containing added sugar or other sweetening matter :	
	– – – with a fat content, by weight, not exceeding 27 %	25,27
	– – – with a fat content, by weight, exceeding 27 % :	
0402 21 91	– – – – in immediate packings of a net content not exceeding 2,5 kg :	
	– – – – – with a fat content, by weight, not exceeding 45 %	19,55
	– – – – – with a fat content, by weight, exceeding 45 %	13,01
0402 21 99	– – – – other :	
	– – – – – with a fat content, by weight, not exceeding 45 %	19,55
	– – – – – with a fat content, by weight, exceeding 45 %	13,01
0402 29	– – other :	
	– – – with a fat content, by weight, not exceeding 27 % :	0,2527 per kg (4)
	– – – with a fat content, by weight, exceeding 27 % :	
0402 29 91	– – – – in immediate packings of a net content not exceeding 2,5 kg :	
	– – – – – with a fat content, by weight, not exceeding 45 %	0,1955 per kg (4)
	– – – – – with a fat content, by weight, exceeding 45 %	0,1301 per kg (4)

CN code	Description of goods	Compensatory amount in ECU/100 kg net weight (except where otherwise indicated)
0402 29 99	– – – – other	
	– – – – – with a fat content, by weight, not exceeding 45 %	0,1955 per kg (4)
	– – – – – with a fat content, by weight, exceeding 45 %	0,1301 per kg (4)
	– other (than in powder, granules or other solid forms):	
0402 91	– – not containing added sugar or other sweetening matter:	
	– – – with a fat content, by weight, not exceeding 8 %	6,28
	– – – with a fat content, by weight, exceeding 8 % but not exceeding 10 %	6,28
	– – – with a fat content, by weight, exceeding 10 % but not exceeding 45 %	(3)
	– – – with a fat content, by weight, exceeding 45 %	(3)
0402 99	– – other:	
	– – – with a fat content, by weight, not exceeding 9,5 %	7,88 (5)
	– – – with a fat content, by weight, exceeding 9,5 % but not exceeding 45 %	(6)
	– – – with a fat content, by weight, exceeding 45 %	(6)
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit or cocoa, excluding products manufactured exclusively from goat's and sheep's milk and cream:	
0403 10	– Yoghurt:	
	– – not flavoured nor containing added fruit or cocoa:	
	– – – in powder, granules or other solid forms	
	– – – – not containing added sugar or other sweetening matter,	(3)
	– – – – other	(6)
	– – – other:	
	– – – – not containing added sugar or other sweetening matter (1)	(1)
	– – – – other	(6)
0403 90	– other	
	– – not flavoured nor containing added fruit or cocoa:	
	– – – in powder, granules or other solid forms:	
	– – – – not containing added sugar or other sweetening matter	(3)
	– – – – other	(6)
	– – other:	
	– – – – not containing added sugar or other sweetening matter	(1)
	– – – – other	(6)
ex 0404	Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included excluding products manufactured exclusively from goat's and sheep's milk and cream:	

CN code	Description of goods	Compensatory amount in ECU/100 kg net weight (except where otherwise indicated)
0404 10	– whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter	—
0404 90	– other (7) :	
	– – not containing added sugar or other sweetening matter, of a protein content (nitrogen content × 6,38), by weight :	
	– – – not exceeding 42 % and of a fat content, by weight :	
0404 90 11	– – – – not exceeding 1,5 %	34,57
0404 90 13	– – – – exceeding 1,5 %, but not exceeding 27 %	25,27
0404 90 19	– – – – exceeding 27 %	19,55
	– – – exceeding 45 %, and of a fat content, by weight :	
0404 90 31	– – – – not exceeding 1,5 %	34,57
0404 90 33	– – – – exceeding 1,5 % but not exceeding 27 %	25,27
0404 90 39	– – – – exceeding 27 %	19,55
	– – other, of a protein content (nitrogen content × 6,38), by weight :	
	– – – not exceeding 42 %, and of a fat content, by weight :	
0404 90 51	– – – – not exceeding 1,5 %	0,3457 per kg (4)
0404 90 53	– – – – exceeding 1,5 % but not exceeding 27 %	0,2527 per kg (4)
0404 90 59	– – – – exceeding 27 %	0,1955 per kg (4)
	– – – exceeding 42 %, and of a fat content, by weight :	
0404 90 91	– – – – not exceeding 1,5 %	0,3457 per kg (4)
0404 90 93	– – – – exceeding 1,5 % but not exceeding 27 %	0,2527 per kg (4)
0404 90 99	– – – – exceeding 27 %	0,1955 per kg (4)
0406	Cheese and curd :	
ex 0406 10	– Fresh cheese (not matured), including whey cheese and curd (excluding salted Riccotta and cheese manufactured exclusively from sheep's or goat's milk) :	
ex 0406 10 20	– – of a fat content, by weight, not exceeding 40 % :	
	– – – of a water content calculated, by weight, of the non-fatty matter exceeding 47 % but not exceeding 72 %	11,46
	– – other	3,96
ex 0406 10 80	– – other	3,96
0406 20	– grated or powdered cheese, of all kinds :	
0406 20 10	– – Glarus herb cheese (known as Schabziger) made from skimmed milk and mixed with finely ground herbs	9,50
0406 20 90	– – other	11,80
0406 30	– processed cheese, not grated or powdered :	

CN code	Description of goods	Compensatory amount in ECU/100 kg net weight (except where otherwise indicated)
0406 30 10	– – in the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger); put up for retail sale, of a fat content by weight in the dry matter not exceeding 56 %	11,86
0406 30 31 0406 30 39 0406 30 90	– – other	11,80
ex 0406 40 00	– blue-veined cheese (excluding cheese manufactured exclusively from sheeps' or goats' milk	8,69
ex 0406 90	– other cheese (excluding cheese manufactured exclusively from sheeps' or goats' milk):	
ex 0406 90 11	– – for processing	11,80
	– – other:	
ex 0406 90 13	– – – Emmentaler	11,86
ex 0406 90 15	– – – Gruyère, Sbrinz	11,86
ex 0406 90 17	– – – Bergkäse, Appenzell, Fromage fribourgeois, Vacherin Mont d'Or and Tête de Moine	11,86
ex 0406 90 19	– – – Glarus herb cheese (known as Schabziger) made from skimmed milk and mixed with finely ground herbs	9,50
ex 0406 90 21	– – – Cheddar	11,80
ex 0406 90 23	– – – Edam	11,46
ex 0406 90 25	– – – Tilsit	11,46
ex 0406 90 27	– – – Butterkäse	11,46
ex 0406 90 29	– – – Kashkaval	11,46
	– – – Feta:	
ex 0406 90 31	– – – – of sheeps' milk or buffalo milk in containers containing brine, or in sheep or goatskin bottles	—
ex 0406 90 33	– – – – other	11,46
ex 0406 90 35	– – – Kefalotyri	11,46
ex 0406 90 37	– – – Finlandia	11,46
ex 0406 90 39	– – – Jarlsberg	11,46
	– – – other:	
0406 90 50	– – – – cheese of sheeps' milk or buffalo milk in containers, containing brine, or in sheep or goatskin bottles	—
	– – – – other:	
	– – – – – of a fat content, by weight, not exceeding 40 % and a water content calculated, by weight, of the non-fatty matter:	
	– – – – – – not exceeding 47 %:	
0406 90 61	– – – – – – – Grana-Padano, Parmigiano-Reggiano	—
0406 90 63	– – – – – – – Fiore Sardo, Pecorino	—
ex 0406 90 69	– – – – – – – other	11,46
	– – – – – – exceeding 47 % but not exceeding 72 %	11,46

CN code	Description of goods	Compensatory amount in ECU/100 kg net weight (except where otherwise indicated)
ex 406 90 93	– – – – – – exceeding 72 % :	3,96
ex 0406 90 99	– – – – – other :	3,96
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form ; sugar syrups not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :	
1702 10	– lactose and lactose syrup (8) :	
1702 10 90	– – other	—
2106	Food preparations not elsewhere specified or included :	
2106 90	– other :	
	– – flavoured or coloured sugar syrups :	
	– – – other :	
2106 90 51	– – – – lactose syrup	—

(1) The compensatory amount per 100 kg net of these products shall be equal to an amount corresponding to the quantity in kilograms of the non-fat part contained in 100 kg net of the product multiplied by ECU 0,02217.

(2) 'Products intended for human consumption' are products other than those denatured in accordance with the provisions of Commission Regulation (EEC) No 1725/79 (OJ No L 199, 7. 8. 1979, p. 1) or Commission Regulation (EEC) No 3714/84 (OJ No L 341, 29. 12. 1984, p. 65) or those placed in Portugal under the arrangements laid down in Commission Regulation (EEC) No 1624/76 (OJ No L 186, 6. 7. 1976, p. 9), or Commission Regulation (EEC) No 3398/91 (OJ No L 320, 22. 11. 191, p. 16).

(3) The compensatory amount per 100 kg net of these products shall be equal to an amount corresponding to the quantity in kilograms of the non-fat solids contained in 100 kg net of the product multiplied by ECU 0,24387.

(4) The compensatory amount per 100 kg net of these products is equal to the amount per kilogram indicated multiplied by the weight of milk and cream contained in 100 kg of finished product less an amount for the percentage of sucrose or other sweetening matter content of 100 kg net of product multiplied by the compensatory amount applicable to 1 kg of white sugar.
Where the result of the subtraction is negative, the resulting amount is to be charged on imported or granted on exports by the Member State concerned other than Spain or Portugal.

(5) The compensatory amount per 100 kg net of these products is equal to the amount indicated less an amount for the percentage of sucrose or other sweetening matter content of 100 kg net of product multiplied by the compensatory amount applicable to 1 kg of white sugar.
Where the result of the subtraction is negative, the resulting amount is to be charged on imports or granted on exports by the Member State concerned other than Spain or Portugal.

(6) The compensatory amount per 100 kg net of these products is equal to the amount corresponding to the quantity in kilograms of the non-fat milk solids contained in 100 kg net of product multiplied by ECU 0,24387 less an amount for the percentage of sucrose or other sweetening matter content of 100 kg net of product multiplied by the compensatory amount applicable to 1 kg of white sugar.
Where the result of the subtraction is negative, the resulting amount is to be charged on imports or granted on exports by the Member State concerned other than Spain or Portugal.

(7) The accession compensatory amount for products comprising various milk products is equal to the sum of the compensatory amounts applicable to each of the constituents taking account of the quantities incorporated.

(8) In accordance with Council Regulation (EEC) No 504/86 (OJ No L 54, 1. 3. 1986, p. 54), the accession compensatory amount for products falling within CN code 1702 10 10 shall be the same as for those falling within CN code 1702 10 90.

NB : In the case of goat's and sheep's milk and cream and the cheeses manufactured exclusively from these products :

— the analysis check shall be carried out by immunochemical and/or electrophoretic methods, supplemented as necessary by HPLC analyses,

— the party concerned shall be obliged, when completing the customs formalities, to state in the declaration provided for this purpose that the milk or cream in question consists solely of the product obtained exclusively from sheep or goats or, as appropriate, that the cheese in question was manufactured exclusively from sheep's or goat's milk.