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COMMISSION REGULATION (EEC) No 2219/92

of 30 July 1992

laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance

(OJ L 218, 1.8.1992, p. 75)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EEC) No 3286/92 of 12 November 1992	L 327	15	13.11.1992
►**M2**	Commission Regulation (EEC) No 3553/92 of 9 December 1992	L 361	32	10.12.1992
►**M3**	Commission Regulation (EEC) No 897/93 of 16 April 1993	L 93	14	17.4.1993
►**M4**	Commission Regulation (EEC) No 1732/93 of 30 June 1993	L 160	15	1.7.1993
►**M5**	Commission Regulation (EC) No 3450/93 of 16 December 1993	L 316	4	17.12.1993
►**M6**	Commission Regulation (EC) No 1551/94 of 30 June 1994	L 166	45	1.7.1994
►**M7**	Commission Regulation (EC) No 2383/94 of 30 September 1994	L 255	89	1.10.1994
►**M8**	Commission Regulation (EC) No 799/95 of 7 April 1995	L 80	29	8.4.1995
►**M9**	Commission Regulation (EC) No 1622/95 of 4 July 1995	L 154	15	5.7.1995
►**M10**	Commission Regulation (EC) No 1802/95 of 25 July 1995	L 174	27	26.7.1995
►**M11**	amended by Commission Regulation (EC) No 1628/2000 of 24 July 2000	L 187	11	26.7.2000
►**M12**	Commission Regulation (EC) No 2931/95 of 19 December 1995	L 307	10	20.12.1995
►**M13**	Commission Regulation (EC) No 1227/96 of 28 June 1996	L 161	75	29.6.1996
►**M14**	Commission Regulation (EC) No 1271/97 of 1 July 1997	L 174	39	2.7.1997
►**M15**	Commission Regulation (EC) No 2438/97 of 9 December 1997	L 339	7	10.12.1997
►**M16**	Commission Regulation (EC) No 1301/98 of 23 June 1998	L 180	10	24.6.1998
►**M17**	Commission Regulation (EC) No 1338/1999 of 24 June 1999	L 159	20	25.6.1999
►**M18**	Commission Regulation (EC) No 1341/2000 of 26 June 2000	L 154	12	27.6.2000
►**M19**	Commission Regulation (EC) No 1809/2000 of 24 August 2000	L 214	3	25.8.2000

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ([1]), and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92 ([2]) lays down in particular the detailed rules for the application of the specific supply arrangements for the Azores and Madeira relating to certain agricultural products;

Whereas, to take account of the specific needs of the milk products sector, additional rules to the provisions of Regulation (EEC) No 1696/92 or derogations therefrom should be laid down;

Whereas pursuant to Article 2 of Regulation (EEC) No 1600/92 an annual forecast supply balance relating to milk products should be established for Madeira;

Whereas to ensure that requirements are met in terms of quantities, prices and quality, supplies to Madeira consist of products originating in third countries on which no levies or customs duties are charged or of Community products on terms equivalent to the advantage resulting from exemption from import duties; whereas products of Community origin must qualify for aids for that purpose;

Whereas such aids must be fixed taking into account in particular the supply costs from the world market, the conditions resulting from the geographical situation of the archipelago and the pricing of exports to third countries for the products in question;

Whereas provision should be made for the appointment by the Member State concerned of the authority to be responsible for the management of the supply arrangements;

Whereas a timetable should be drawn up for the submission of licence applications and the conditions of acceptance of such applications should be laid down, in particular as regards the provision of a security; whereas the duration of the validity of import licences and aid certificates should also be fixed having regard to the supply requirements and the need for sound management, a longer period of validity being allowed for aid certificates in view of the special situation of Madeira;

Whereas, for the sake of sound management of the supply arrangements, conditions should be laid down for the release of the security;

Whereas pursuant to Council Regulation (EEC) No 1600/92 the supply arrangements are applicable from 1 July 1992; whereas it should be laid down that the detailed rules of application are to apply from the same date;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

([1]) OJ No L 173, 27. 6. 1992, p. 1.
([2]) OJ No L 179, 1. 7. 1992, p. 6.

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HAS ADOPTED THIS REGULATION:

Article 1

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1. Pursuant to Article 2 of Regulation (EEC) No 1600/92 the quantities of the forecast supply balance for Madeira which qualify for Community aid or exemption from the duty on imports from third countries shall be as set out in Annex I.

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2. Pursuant to Annex 10 of Regulation (EEC) No 1600/92 the amount of the aids shall be as set out in Annex II.

Article 2

Portugal shall appoint the authority responsible for:

(a) issuing the import licence provided for in Article 2 of Regulation (EEC) No 1696/92;

(b) issuing the aid certificate provided for in Article 4 of the abovementioned Regulation;

(c) payment of aid to the operators concerned and management of securities.

Article 3

1. Licence applications shall be submitted to the competent authority in the first ►**M4** 10 ◄ working days of each month. A licence application shall be admissible only if:

(a) it does not exceed the maximum available quantity for each product and for the period concerned;

▼M4

(b) before expiry of the time limit for the submission of licence applications, proof is furnished that the interested party has provided a security. The amount of the security shall be:

— ECU ►**M10** ►**M11** 3 ◄ ◄ /100 kg for products falling within CN codes 0401, 1901 90 90 and 2106 90 91,

— ECU ►**M10** ►**M11** 6 ◄ ◄ /100 kg for products falling within CN codes 0402 and 0405,

— ECU ►**M10** ►**M11** 9 ◄ ◄ /100 kg for products falling within CN codes 0406.

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2. Licences shall be issued on the ►**M4** 15th ◄ working day of each month.

Article 4

▼M4

1. The period of validity of import licences shall extend from the date of issue to the last day of the second month following the month of issue.

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2. The period of validity of aid certificates shall expire on the last day of the second month following the month of issue.

Article 5

Notwithstanding Commission Regulation (EEC) No 3719/88 [1], the security shall be released where:

[1] OJ No L 331, 2. 12. 1988, p. 15.

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(a) the competent authority has not accepted an application; in such cases the security shall be released for the quantities for which the application has not been accepted;

(b) the operator has withdrawn his application in accordance with Article 4 (2) of Regulation (EEC) No 1696/92;

(c) proof is furnished that the licence has been used in accordance with Regulation (EEC) No 1696/92 and this Regulation; in such cases the security shall be released for the quantities charged to the licence.

Article 6

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

It shall apply from 1 July 1992.

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

▼**M18**

ANNEX I

Forecast supply balance for Madeira relating to milk products for the period 1 July 2000 to 30 June 2001

(tonnes)

CN code	Description	Quantity
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	12 000
ex 0402	Skimmed-milk powder	800
ex 0402	Whole-milk powder	700
0405	Butter and other fats and oils derived from milk, dairy spreads	1 200
0406	Cheese	1 550

▼M19

ANNEX II

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter:			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000		2,327
0401 10 90	– – Other	0401 10 90 9000		2,327
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100		2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500		3,597
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100		2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500		3,597
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100		4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 9500		5,302
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100		4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 9500		5,302
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 9100		6,803

▼M19

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 9400		10,50
	– Exceeding 17 %	0401 30 11 9700		15,77
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 9100		6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 9400		10,50
	– Exceeding 17 %	0401 30 19 9700		15,77
	– – Exceeding 21 % but not exceeding 45 %:			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 35 %	0401 30 31 9100		38,32
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 9400		59,85
	– Exceeding 39 %	0401 30 31 9700		66,00
0401 30 39	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 35 %	0401 30 39 9100		38,32
	– Exceeding 35 % but not exceeding 39 %	0401 30 39 9400		59,85
	– Exceeding 39 %	0401 30 39 9700		66,00
	– – Exceeding 45 %:			
0401 30 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 68 %	0401 30 91 9100		75,22
	– Exceeding 68 % but not exceeding 80 %	0401 30 91 9400		110,55
	– Exceeding 80 %	0401 30 91 9700		129,01
0401 30 99	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 68 %	0401 30 99 9100		75,22
	– Exceeding 68 % but not exceeding 80 %	0401 30 99 9400		110,55

▼M19

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	– Exceeding 80 %	0401 30 99 9700		129,01
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 9000 0402 10 19 9000	(2)	40,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 9900 0402 21 19 9900	(2)	76,00
0402 21 11	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a fat content, by weight:			
	– Not exceeding 11 %	0402 21 11 9200	(2)	40,00
	– Exceeding 11 % but not exceeding 17 %	0402 21 11 9300	(2)	67,00
	– Exceeding 17 % but not exceeding 25 %	0402 21 11 9500	(2)	70,60
	– Exceeding 25 %	0402 21 11 9900	(2)	76,00
	– – – – Other:			
0402 21 19	– – – – – Of a fat content, by weight, exceeding 11 % but not exceeding 27 %:			
	– Not exceeding 17 %	0402 21 19 9300	(2)	67,00
	– Exceeding 17 % but not exceeding 25 %	0402 21 19 9500	(2)	70,60
	– Exceeding 25 %	0402 21 19 9900	(2)	76,00
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	– Butter:			
	– – Of a fat content, by weight, not exceeding 85 %:			
	– – – Natural butter:			
0405 10 11	– – – – In immediate packings of a net content not exceeding 1 kg:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	– – – – – – Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	– – – – Other:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	– – – – – – Of 82 % or more	0405 10 19 9700		180,50

▼M19

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0405 10 30	– – – Recombined butter:			
	– – – – In immediate packings of a net content not exceeding 1 kg:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	– – – – – – Of 82 % or more	0405 10 30 9300		180,50
	– – – – Other:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	– – – – – – Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	– – – Whey butter:			
	– – – – In immediate packings of a net content not exceeding 1 kg:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	– – – – – – Of 82 % or more	0405 10 50 9300		180,50
	– – – – Other:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	– – – – – – Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	– – Other	0405 10 90 9000		187,10
ex 0405 20	– Dairy spreads:			
0405 20 90	– – Of a fat content by weight of more than 75 % but less than 80 %:			
	– – – Of a fat content by weight:			
	– – – – Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	– – – – Of 78 % or more	0405 20 90 9700		171,69
0405 90	– Other:			
0405 90 10	– – Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	– – Other	0405 90 90 9000		180,50

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(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd (1):					
ex 0406 90 23	– – – Edam	47	40	0406 90 23 9900	(1)	103,92
ex 0406 90 25	– – – Tilsit	47	45	0406 90 25 9900	(1)	102,80
ex 0406 90 76	– – – – – – – – Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsoe:					
	– – – – – – – – – Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	– – – – – – – – – – Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	(1)	96,98
	– – – – – – – – – – Of a dry matter content, by weight, of 56 % or more	44	45	0406 90 76 9400	(1)	108,62
	– – – – – – – – – Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	(1)	102,45
ex 0406 90 78	– – – – – – – – Gouda:					
	– – – – – – – – – Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	(1)	102,26
	– – – – – – – – – Of a fat content by weight, in the dry matter of 48 % or more but less than 55 %	45	48	0406 90 78 9300	(1)	105,98
	– – – – – – – – – Other	45	55	0406 90 78 9500	(1)	104,35
ex 0406 90 79	– – – – – – – – Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	(1)	86,27
ex 0406 90 81	– – – – – – – – Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	44	0406 90 81 9900	(1)	108,62
ex 0406 90 86	– – – – – – – – – Exceeding 47 % but not exceeding 52 %:					
	– – – – – – – – – – cheeses produced from whey			0406 90 86 9100		—
	– – – – – – – – – – Other, of a fat content, by weight, in the dry matter:					

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(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
	– – – – – – – – – – Of less than 5 %	52		0406 90 86 9200	(1)	102,23
	– – – – – – – – – – Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	(1)	103,32
	– – – – – – – – – – Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	(1)	108,62
	– – – – – – – – – – Of 39 % or more	40	39	0406 90 86 9900	(1)	117,90
ex 0406 90 87	– – – – – – – – Exceeding 52 % but not exceeding 62 %:					
	– – – – – – – – – cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	– – – – – – – – – Other, of a fat content, by weight, in the dry matter:					
	– – – – – – – – – – Of less than 5 %	60		0406 90 87 9200	(1)	85,19
	– – – – – – – – – – Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	(1)	94,89
	– – – – – – – – – – Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	(1)	96,33
	– – – – – – – – – – Of 40 % or more:					
	– – – – – – – – – – – Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(1)	106,68
	– – – – – – – – – – – Maasdam	45	45	0406 90 87 9971	(1)	106,68
	– – – – – – – – – – – Manouri	43	53	0406 90 87 9972	(1)	45,63
	– – – – – – – – – – – Hushallsost	46	45	0406 90 87 9973	(1)	104,74
	– – – – – – – – – – – Murukoloinen	41	50	0406 90 87 9974	(1)	113,19
	– – – – – – – – – – – Other:	47	40	0406 90 87 9979	(1)	103,92
ex 0406 90 88	– – – – – – – – Exceeding 62 % but not exceeding 72 %:					

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(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
	– – – – – – – – – cheese produced from whey			0406 90 88 9100		—
	– – – – – – – – – Other:					
	– – – – – – – – – – Other:					
	– – – – – – – – – – – Of a fat content, by weight, in the dry matter:					
	– – – – – – – – – – – – Of 10 % or more but less than 19 %	60	10	0406 90 88 9300	(1)	83,50

(1) In the case of cheese presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(2) Where the product contains non-lactic matter, the non-lactic matter is not to be taken into account for the purposes of calculating the aid.

When completing customs formalities, the applicant must state on the declaration provided for that purpose whether or not non-lactic matter has been added and, where this is the case, the maximum content by weight of the non-lactic matter added per 100 kilograms of finished product.