COMMISSION REGULATION (EEC) No 1732/93

of 30 June 1993

amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance

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 with regard to certain agricultural products (1), as amended by Commission Regulation (EEC) No 3714/92 (2), and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92 (3), as amended by Regulation (EEC) No 2132/92 (4), 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 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 (5), as last amended by Regulation (EEC) No 1603/93 (6), establishes the forecast supply balance in milk products for Madeira for the period 1 July 1992 to 30 June 1993;

Whereas, after this initial period of applying the scheme in question, it is now appropriate to revise the period of validity of the import licences, the period during which applications for the said licences can be made and the amounts of the securities with a view to aligning them more closely with the time limits and amounts generally provided for in the milk sector;

Whereas, in order to continue satisfying the milk product requirements of Madeira, it is necessary to establish the forecast supply balance for the period 1 July 1993 to 30 June 1994; whereas the Annex to Regulation (EEC) No 2219/92 should accordingly be amended;

Whereas the quantities of products benefiting from the specific supply arrangements must be determined within the framework of periodic forecast supply balances which may be adjusted on the basis of the essential requirements of the markets and taking account of local production and traditional trade flows; whereas to ensure coverage of requirements in terms of quantity, price and quality and to ensure that the proportion of products supplied from the Community is preserved, the aid to be granted for products originating in the rest of the Community must be determined on terms equivalent, for the end user, to the advantage resulting from exemption from import duties on imports of products from third countries;

Whereas Commission Regulation (EEC) No 1646/93 (7) fixing the export refunds on milk and milk products adjusts the refunds on certain milk products; whereas the aid for certain products listed in Annex II to Regulation (EEC) No 2219/92 should be adapted in order to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2219/92 is hereby amended as follows:

1. in Article 3:

— in paragraph 1, 'five' is replaced by '10',

— paragraph 1 (b) is replaced by the following:

'(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 2,5/100 kg for products falling within CN codes 0401, 1901 90 90 and 2106 90 91,

— ECU 5/100 kg for products falling within CN codes 0402 and 0405,

— ECU 7,5/100 kg for products falling within CN code 0406.';

— in paragraph 2, '10th' is replaced by '15th';

(1) OJ No L 173, 27. 6. 1992, p. 1.
(2) OJ No L 378, 23. 12. 1992, p. 23.
(3) OJ No L 179, 1. 7. 1992, p. 6.
(4) OJ No L 213, 29. 7. 1992, p. 25.
(5) OJ No L 218, 1. 8. 1992, p. 75.
(6) OJ No L 153, 25. 6. 1993, p. 43.
(7) OJ No L 157, 29. 6. 1993, p. 20.

2. Article 4 (1) is replaced by the following:

'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.';

3. the aid shall be determined in such a way that the proportion of products supplied from the Community is preserved, taking account of traditional trade flows;

4. Annexes I and II are replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 1993.

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

Done at Brussels, 30 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

'ANNEX I

Supply balance for Madeira relating to milk products for the period 1 July 1993 to 30 June 1994

(tonnes)

CN code	Description of goods	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	1 200
0406	Cheese	900

ANNEX II

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

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter (1) :			
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 10 000	(1)	5,45
0401 10 90	– – Other	0401 10 90 000	(1)	5,45
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 11 100	(1)	5,45
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	(1)	8,42
0401 20 19	– – – Other :			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	(1)	5,45
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	(1)	8,42
	– – 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 91 100	(1)	11,21
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 500	(1)	13,06
0401 20 99	– – – Other :			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	(1)	11,21
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 500	(1)	13,06

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

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
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 11 100	(1)	16,78
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 400	(1)	25,87
	– Exceeding 17 %	0401 30 11 700	(1)	38,87
0401 30 19	– – – Other :			
	– Of a fat content, by weight :			
	– Not exceeding 10 %	0401 30 19 100	(1)	16,78
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 400	(1)	25,87
	– Exceeding 17 %	0401 30 19 700	(1)	38,87
	– – 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 31 100	(1)	46,29
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 400	(1)	72,28
	– Exceeding 39 %	0401 30 31 700	(1)	79,70
0401 30 39	– – – Other :			
	– Of a fat content, by weight :			
	– Not exceeding 35 %	0401 30 39 100	(1)	46,29
	– Exceeding 35 % but not exceeding 39 %	0401 30 39 400	(1)	72,28
	– Exceeding 39 %	0401 30 39 700	(1)	79,70
	– – 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 91 100	(1)	90,84
	– Exceeding 68 % but not exceeding 80 %	0401 30 91 400	(1)	133,53
	– Exceeding 80 %	0401 30 91 700	(1)	155,81
0401 30 99	– – – Other :			
	– Of a fat content, by weight :			
	– Not exceeding 68 %	0401 30 99 100	(1)	90,84
	– Exceeding 68 % but not exceeding 80 %	0401 30 99 400	(1)	133,53
	– Exceeding 80 %	0401 30 99 700	(1)	155,81
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 000 0402 10 19 000	(2)	60,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 900 0402 21 19 900	(2)	110,00

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

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0405 00	Butter and other fats and oils derived from milk :			
0405 00 11	– Of a fat content, by weight, not exceeding 85 % :			
	– – In immediate packings of a net content not exceeding 1 kg			
	– Of a fat content, by weight, not exceeding 85 % :			
	– Of less than 62 %	0405 00 11 100		—
	– Of 62 % or more but less than 8 %	0405 00 11 200		120,98
	– Of 78 % or more but less than 80 %	0405 00 11 300		152,20
	– Of 80 % or more but less than 82 %	0405 00 11 500		156,10
	– Of 82 % or more	0405 00 11 700		160,00
0405 00 19	– – Other :			
	– Of a fat content, by weight, not exceeding 85 % :			
	– Of less than 62 %	0405 00 19 100		—
	– Of 62 % or more but less than 78 %	0405 00 19 200		120,98
	– Of 78 % or more but less than 80 %	0405 00 19 300		152,90
	– Of 80 % or more but less than 82 %	0405 00 19 500		156,10
	– Of 82 % or more	0405 00 19 700		160,00
0405 00 90	– Other :			
	– Of a fat content, by weight :			
	– Not exceeding 99,5 %	0405 00 90 100		160,00
	– Exceeding 99,5 %	0405 00 90 900		206,00
ex 0406	Cheeses :			
0406 90 23	Edam			122,15
0406 90 25	Tilsit			122,15
0406 90 77	Danbo, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo Samsø			99,99
0406 90 79	Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio			103,52
0406 90 81	Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey			117,33
0406 90 89	– – – – – – – Other :			
	– Of a fat content, by weight, in the dry matter of less than 39 % :			
	– Of a fat content, by weight, in the dry matter :			
	– Of less than 5 % and of a content, by weight, in the dry matter of 32 % or more	0406 90 89 100	(3)	80,77
	– Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more	0406 90 89 200	(3)	88,56
	– Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 %	0406 90 89 300	(3)	99,99
	– Of a fat content, by weight, in the dry matter of 39 % or more :			
	– Cheeses produced from whey	0406 90 89 910		—

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

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 89 *(cont'd)*	– Other cheeses of a water content, calculated by weight, of the non-fatty matter :			
	– Exceeding 47 % but not exceeding 52 % :			
	– Idiasabal, manchego, roncal, manufactured exclusively from sheep's and/or goats' milk	0406 90 89 951	(3)	136,28
	– Other	0406 90 89 959	(3)	117,33
	– Exceeding 52 % but not exceeding 62 % :			
	– Maasdam	0406 90 89 971	(3)	122,15
	– Manouri of a fat content, by weight, of 30 % or more	0406 90 89 972	(3)	43,29
	– Other	0406 90 89 979	(3)	122,15
	– Exceeding 62 %	0406 90 89 990		—

(1) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(2) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

— the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,

— the lactose content of the added whey.

(3) In the case of cheeses 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.'