COMMISSION REGULATION (EC) No 2454/95

of 19 October 1995

opening the procedure for the allocation of export licences for cheeses to be exported in 1996 to the United States of America under the additional quota resulting from the GATT Agreements

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products [1], as amended by Regulation (EC) No 2452/95 [2], and in particular Article 9a (1) thereof,

Whereas Article 9a of Regulation (EC) No 1466/95 provides that export licences for cheeses exported to the United States of America as part of the additional quota under the Agreements concluded during the Uruguay Round of multilateral trade negotiations (hereinafter known as 'the Agreements') may be allocated according to a special procedure by which preferred importers in the United States may be designated ; whereas that procedure should be opened for exports during 1996 and the additional rules relating to it should be determined ; whereas, given the time limit for notification of the preferred importers in the United States, the procedure should be opened without delay ;

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

Export licences for products falling within CN code 0406 to be exported in 1996 to the United States of America under the additional quota resulting from the Agreements as referred to in Annex II shall be issued in accordance with the provisions of Article 9a of Regulation (EC) No 1466/95.

Article 2

Applications for provisional licences shall be lodged with the competent authorities before 26 October 1995. They shall not be admissible unless they contain all the details referred to in Article 9a (2) of Regulation (EC) No 1466/95 and the documents mentioned therein. Those details shall be presented in accordance with the model shown in Annex I.

Article 3

Member States shall notify the Commission within five working days of the end of the period for lodging applications of the applications lodged for each of the groups of products covered by the American quota indicated in Annex II. Notification shall comprise for each group :

— a list of applicants,

— the quantities applied for by each applicant broken down by code of the export refund nomenclature for milk products and by their description in accordance with the 'Harmonized Tariff Schedule of the United States of America (1995)',

— the quantities of those products exported by the applicant during the previous three years,

— the name and address of the importer designated by the applicant.

All notifications, including 'nil' notifications, shall be made by telex or fax, on the working days stipulated, on the model form shown in Annex III.

Article 4

The Commission shall, pursuant to Article 9a (3) of Regulation (EC) No 1466/95, determine the allocation of licences without delay and shall notify the Member States thereof by 15 November 1995 at the latest.

Article 5

The information referred to in Article 3 shall be verified before the final licences are issued and by 31 December 1995 at the latest.

Where it is found that incorrect information has been supplied by an operator to whom a provisional licence has been issued, the licence shall be cancelled and the security forfeited.

Article 6

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

[1] OJ No L 144, 28. 6. 1995, p. 22.
[2] See page 12 of this Official Journal.

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

Done at Brussels, 19 October 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Presentation of details required under Article 9a (2) of Regulation (EC) No 1466/95

Identification of the United States of America quota group applied for

Additional Note to 'Harmonized Tariff Schedule of the United States of America' Number ☐

Name : .....

Name/ address of applicant	Export refund Nomenclature code	Quantity requested	Exports to the United States of America				US Harmonized Tariff Schedule Code	Name/ address of designated importer
			1992	1993	1994	Average		
	Total					1992 — 1994		

ANNEX II

Regulation (EC) No 1466/95 — Article 9a

Identification of group in accordance with Additional Notes in Chapter 4 of the Harmonized Tariff Schedule of the United States of America		Quantity available for 1996	Maximum quantity per application
Note number	Group	Tonnes	Tonnes
16	Not specifically provided for (NSPF)	600	240
17	Blue Mould	100	40
18	Cheddar	333,3	133,3
19	American type	33,3	13,3
20	Edam/Gouda	200	80
21	Italian type	233,3	93,3
22	Swiss Emmental other than with eye formation	100	40
25	Swiss Emmental with eye formation	233,3	93,3

ANNEX III

Communication by Member State under Article 3 of Regulation (EC) No 2454/95

Identification of the United States of America quota group applied for

Additional Note to 'Harmonized Tariff Schedule of the United States of America' Number ☐

Name : .....

No	Name/ address of applicant	Export refund Nomenclature code	Quantity requested	Exports to the United States of America				US Harmonized Tariff Schedule Code	Name/ address of designated importer
				1992	1993	1994	Average		
1									
		Total					1992 — 1994		
2									
		Total					1992 — 1994		
3									
		Total							