COMMISSION REGULATION (EC) No 1170/96

of 27 June 1996

amending Regulation (EC) No 1600/95 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products [1], as last amended by Commission Regulation (EC) No 2931/95 [2], and in particular Article 13 (3), 16 (1) and (4) thereof,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations [3], and in particular Article 1 (1) thereof,

Whereas the validity of Commission Regulation (EC) No 1600/95 of 30 June 1995, laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products [4], as last amended by Regulation (EC) No 1114/96 [5], expires on 30 June 1996; whereas those arrangements should be made permanent and the expiry date annulled; whereas experience has shown that the ambiguity or strictness of certain provisions are creating unjustified administrative difficulties; whereas the provisions in question should be clarified or made more flexible;

Whereas the order numbers in Annex VII to the combined nomenclature were amended by Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Custom Tariff [6], as last amended by Regulation (EC) No 1035/96 [7]; whereas, in order to avoid any ambiguity, Annex I to Regulation (EC) No 1600/95 should be republished containing the amended order numbers;

Whereas the tariff quotas referred to in the GATT/WTO Agreement which are not specified by country of origin must be adjusted from 1 July 1996; whereas Annex II to Regulation (EC) No 1600/95 must therefore be amended;

Whereas, in order to facilitate the transition to the new arrangements, a table showing the import duties on imports covered by the GATT Agreement was given for information in an Annex to Regulation (EC) No 1600/95; whereas, given that the information is given in the combined nomenclature, the table is no longer necessary;

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

Regulation (EC) No 1600/95 is hereby amended as follows:

1. In Article 14 (5), the words 'three days' and 'four days' are replaced by 'three working days' and 'four working days' respectively.

2. In the second subparagraph of Article 32, the words 'to 30 June 1996' are deleted.

3. Annex I is replaced by Annex I hereto.

4. Annex II is replaced by Annex II hereto.

5. The summary tables are deleted.

Article 2

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

It shall apply from 1 July 1996.

[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 307, 20. 12. 1995, p. 10.
[3] OJ No L 146, 20. 6. 1996, p. 1.
[4] OJ No L 151, 1. 7. 1995, p. 12.
[5] OJ No L 148, 21. 6. 1996, p. 32.
[6] OJ No L 256, 7. 9. 1987, p. 1.
[7] OJ No L 151, 26. 6. 1996, p. 1.

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

Done at Brussels, 27 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

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TARIFF QUOTAS PURSUANT TO THE GATT/WTO AGREEMENTS SPECIFIED BY COUNTRY OF ORIGIN

(Calendar year)

Order number in Annex 7 to the combined nomenclature	CN code	Description	Country of origin	Quota quantity in tonnes (annual)	Import duty in ecus per 100 kg net weight	Rules for completing certificates
38	ex 0405 10 11 ex 0405 10 19	Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 82 %, manufactured directly from milk or cream	New Zealand	76 667	86,88	see Article 9
43	0406 90 01	Cheese for processing (1)	New Zealand Australia	4 000 500	17,06 17,06	see Annex VI (G) and (H)
45	ex 0406 90 21	Whole Cheddar cheeses (of the conventional flat cylindrical shape of a net weight of not less than 33 kg but not more than 44 kg and cheeses in cubic blocks or in parallelepiped shape, of a net weight of 10 kg or more) of a fat content of 50 % or more by weight in the dry matter, matured for at least three months	New Zealand Australia	7 000 3 250	17,06 17,06	see Annex VI (F)
46	ex 0406 90 21	Cheddar made from unpasteurized milk, of a fat content of 50 % or more, by weight, in the dry matter, matured for at least nine months, of a free-at-frontier value (2) per 100 kg net, of not less than: — ECU 334,20 in standard whole sizes — ECU 354,83 for cheeses of a net weight of not less than 500 g — ECU 368,58 for cheeses of a weight less than 500 g The expression "standard whole sizes" shall be taken to apply to cheeses of the: — Conventional flat cylindrical shape of a net weight of not less than 33 kg but not more than 44 kg — Cubic block shape or parallelepiped shape, of a net weight of 10 kg or more	Canada	4 000	13,75	see Annex VI (E)

(1) Monitoring utilization for this particular purpose will be done by applying the Community provisions laid down on the subject.

(2) "Free-at-frontier value" means the free-at-frontier price or fob price in the country of export, plus an amount, where appropriate, for delivery and insurance costs to the customs territory of the Community.'

ANNEX II

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TARIF QUOTAS PURSUANT TO GATT/WTO AGREEMENTS, NOT SPECIFIED BY COUNTRY OF ORIGIN

(GATT/WTO year)

Order number in Annex 7 to the combined nomenclature	CN code	Description	Country of origin	Quota quantity in tonnes		Import duty (in ecus per 100 kg net weight)
				Annual	Quarterly	
36	0402 10 19	Skimmed milk powder	all third countries	45 921	11 480,25	47,50
37	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 90 10 0405 90 90	Butter and other fats and oils derived from milk	all third countries	2 000	500	94,80
39	ex 0406 10 20 ex 0406 10 80	Pizza cheese, frozen, cut into pieces each weighing not more than 1 gram, in containers with a net content of 5 kg or more, of a water content, by weight, of 52 % or more, and a fat content by weight in the dry matter of 38 % or more	all third countries	1 949	487,25	13,00
40	ex 0406 30 10	Processed Emmentaler	all third countries	6 027	1 506,75	71,90
	0406 90 07 0406 90 12	Emmentaler				85,80
41	ex 0406 30 10	Processed Gruyère	all third countries	1 627	406,75	71,90
	0406 90 08 0406 90 14	Gruyère, Sbrinz				85,80
42	0406 90 01	Cheese for processing (1)	all third countries	7 200	1 800,00	83,50
44	0406 90 21	Cheddar	all third countries	5 400	1 350,00	21,00
47	ex 0406 10 20 ex 0406 10 80	Fresh (unripened or uncured) cheese including whey cheese, and curd, other than pizza cheese of order No 39	all third countries	6 695	1 673,75	92,60 106,40
	0406 20 90	Other grated or powdered cheese				94,10
	0406 30 31 0406 30 39 0406 30 90	Other processed cheese				69,00 71,90 102,90
	0406 40 10 0406 40 50 0406 40 90	Blue-veined cheese				70,40
	0406 90 09 0406 90 16	Bergkäse and Appenzell				85,80

Order number in Annex 7 to the combined nomenclature	CN code	Description	Country of origin	Quota quantity in tonnes		Import duty (in ecus per 100 kg net weight)
				Annual	Quarterly	
	0406 90 18	Fromage fribourgeois, Vacherin Mont d'Or and Tête de Moine				75,50
	0406 90 23	Edam				
	0406 90 25	Tilsit				
	0406 90 27	Butterkäse				
	0406 90 29	Kashkaval				
	0406 90 31	Feta, of sheep's milk or buffalo milk				
	0406 90 33	Feta, other				
	0406 90 35	Kefalo-Tyri				
	0406 90 37	Finlandia				
	0406 90 39	Jarlsberg				
	0406 90 50	Cheese of sheep's milk or buffalo milk				
	0406 90 61	Grana Padano, Parmigiano Reggiano				94,10
	0406 90 63	Fiore Sardo, Pecorino				
	0406 90 69	Other				
	0406 90 73	Provolone				75,50
	0406 90 75	Asiago, Caciocavallo, Montasio, Ragusano				
	0406 90 76	Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsoe				
	0406 90 78	Gouda				
	0406 90 79	Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio				
	0406 90 81	Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey				
	0406 90 82	Camembert				
	0406 90 84	Brie				
	0406 90 85	Kefalograviera, Kasseri				
	0406 90 86	Exceeding 47 % but not exceeding 52 %				
	0406 90 87	Exceeding 52 % but not exceeding 62 %				
	0406 90 88	Exceeding 62 % but not exceeding 72 %				
	0406 90 93	Exceeding 72 %				92,60
	0406 90 99	Other				106,40

(1) Monitoring utilization for this particular purpose will be done by applying the Community provisions laid down on the subject.'