COMMISSION REGULATION (EC) No 1910/96

of 2 October 1996

opening the procedure for the allocation of export licences for cheese to be exported in 1997 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 last amended by Regulation (EC) No 1875/96 [2], and in particular Article 9 (a) (1) thereof,

Whereas Article 9 (a) of Regulation (EC) No 1466/95 provides that export licences for cheese 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 1997 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 1997 to the United States of America under the additional quota resulting from the Agreements as referred to in Annex I shall be issued in accordance with the provisions of Article 9 (a) of Regulation (EC) No 1466/95.

Article 2

Applications for provisional licences shall be lodged with the competent authorities by 11 October 1996 at the latest. They shall not be admissible unless they contain all the details referred to in Article 9 (a) (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 II.

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 I. 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 (1996),

— 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 and whether the importer is a branch of 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 9 (a) (3) of Regulation (EC) No 1466/95, determine the allocation of licences without delay and shall notify the Member States thereof by 31 October 1996 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 1996 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 third day following that of its publication in the *Official Journal of the European Communities.*

[1] OJ No L 144, 28. 6. 1995, p. 22.
[2] OJ No L 247, 28. 9. 1996, p. 36.

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

Done at Brussels, 2 October 1996.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Cheese to be exported to the United States of America in 1997 under the additional quota resulting from the GATT Agreements

Article 9 (a) of Regulation (EC) No 1466/95 and Regulation (EC) No 1910/96

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 1997	Maximum quantity per application
Note No	Group	Tonnes	Tonnes
16	Not specifically provided for (NSPF)	900	360
17	Blue Mould	150	60
18	Cheddar	500	200
19	American type	50	20
20	Edam/Gouda	300	120
21	Italian type	350	140
22	Swiss or Emmenthaler cheese other than with eye formation	150	60
25	Swiss or Emmenthaler cheese other than with eye formation	350	140

ANNEX II

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

Identification of the United States of America quota group applied for

Additional Note to the Harmonized Tariff Schedule of the United States of America No ☐

Name of group: .....

Name/address of applicant	Refund nomenclature product code	Quantity applied for	Export to the United States of America				Harmonized Tariff Schedule of the USA code	Name/address of designated importer	Importer is branch of applicant yes ☐ no ☐
			1993	1994	1995	Average Ø 1993 to 1995			
	Total					Ø			

ANNEX III

Notification by Member State in accordance with Article 3 of Regulation (EC) No 1910/96

Identification of the United States of America quota group applied for

Additional Note to the Harmonized Tariff Schedule of the United States of America No ☐

Name of group: .....

No	Name/address of applicant	Refund nomenclature product code	Quantity applied for	Export to the United States of America				Harmonized Tariff Schedule of the USA code	Name/address of designated importer	Importer is subsidiary of applicant yes ☐ no ☐
				1993	1994	1995	Average Ø 1993 to 1995			
1										
		Total					Ø			☐ ☐
2										
		Total					Ø			☐ ☐
3										
		Total					Ø			☐ ☐