COMMISSION REGULATION (EC) No 1929/96

of 7 October 1996

amending Regulation (EC) No 1713/95 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Agreements on free trade between the Community and the Baltic States and providing for reimbursement of import duties charged between 1 July and 30 September 1996

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1926/96 of 7 October 1996 granting certain concessions in the form of Community tariff quotas for certain agricultural products and adjusting on a unilateral and temporary basis certain agricultural concessions provided for in the Agreements on free trade with Estonia, Latvia and Lithuania in line with the Agreement on Agriculture concluded in the Uruguay Round of multilateral trade negotiations [1], and in particular Article 5 thereof,

Whereas Regulation (EC) No 1926/96 adjusts on a unilateral and temporary basis the agricultural concessions in the Agreements on free trade concluded between the European Communities and their Member States of the one part and the Republics of Estonia, Latvia and Lithuania of the other; whereas these adjustments apply to the period running from 1 July 1996 until the interim additional protocols to these Agreements at present being negotiated enter into force;

Whereas Commission Regulation (EC) No 1713/95 [2], as amended by Regulation (EC) No 1891/96 [3], sets rules for application to milk and milk products of the arrangements laid down in these Agreements; whereas it should be amended in line with the provisions on milk products adopted by Regulation (EC) No 1926/96;

Whereas because of a delay in adopting Regulation (EC) No 1926/96 licences for the third quarter of 1996 were issued on the basis of the old annual quantites; whereas the quantities available for that quarter included quantities carried over from the previous quarter; whereas the new annual quantities are set for the 12 month period from 1 July; whereas the quantities available for the period 1 October to 31 December 1996 should be explicitly indicated; whereas these quantities inlcude the difference between 25 % of the old annual quantities and 25 % of the new ones and also the quantities carried over from the third quarter; whereas the quantities carried over are however restricted to those for which licences were not issued and also to a maximum of 25 % of the old annual quantity for the products concerned;

Whereas the duty rate reduction of 80 % instead of 60 % applies from 1 July 1996; whereas it is accordingly necessary to reimburse operators for imports made on the basis of licences issued during the third quarter of the year; whereas, however, reimbursement must be limited to 25 % of the old annual quantities; whereas it is therefore necessary to set a coefficient for products for which licences for more than 25 % of the old annual quantity were issued;

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 1713/95 is amended as follows:

1. the wording of Article 2 is replaced by:

'From 1 July 1996 the quantities indicated in Annex I shall be staggered over the year as follows:

— 25 % in the period 1 July to 30 September,

— 25 % in the period 1 October to 31 December,

— 25 % in the period 1 January to 31 March,

— 25 % in the period 1 April to 30 June.

The quantities available for the period 1 October to 31 December 1996 shall however be as indicated in Annex Ia';

2. Annex I is replaced by Annex I to this Regulation;

[1] See page 1 of this Official Journal.
[2] OJ No L 163, 14. 7. 1995, p. 5.
[3] OJ No L 249, 1. 10. 1996, p. 33.

3. Annex II to this Regulation is added as Annex Ia.

Article 2

Operators who imported products on the basis of licences issued for the period 1 July to 30 September 1996 shall on request be reimbursed the difference between 60 and 80 % of the customs duty on presentation of the import lience and declaration of entry for free circulation. Reimbursement shall however be restricted to the quantities imported subject to the coefficient shown in Annex III.

Article 3

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

It shall apply with effect from 1 July 1996.

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

Done at Brussels, 7 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

'ANNEX I

A. PRODUCTS ORIGINATING IN ESTONIA

Duty rate reduction of 80 % from 1 July 1996

CN code	Description (1)	Duty applicable (% of MFN) (2)	Annual quantity				
			From 1. 7. 1996 to 30. 6. 1997 (tonnes)	From 1. 7. 1997 to 30. 6. 1998 (tonnes)	From 1. 7. 1998 to 30. 6. 1999 (tonnes)	From 1. 7. 1999 to 30. 6. 2000 (tonnes)	From 1. 7. 2000 (tonnes)
0402 10 19 0402 21 19	Skimmed-milk powder Whole-milk powder	20	3 150	3 300	3 450	3 600	3 750
0405 10 11 0405 10 19	Butter	20	1 575	1 650	1 725	1 800	1 875
0406	Cheeses	20	840	880	920	960	1 000

B. PRODUCTS ORIGINATING IN LATVIA

Duty rate reduction of 80 % from 1 July 1996

CN code	Description (1)	Duty applicable (% of MFN) (2)	Annual quantity				
			From 1. 7. 1996 to 30. 6. 1997 (tonnes)	From 1. 7. 1997 to 30. 6. 1998 (tonnes)	From 1. 7. 1998 to 30. 6. 1999 (tonnes)	From 1. 7. 1999 to 30. 6. 2000 (tonnes)	From 1. 7. 2000 (tonnes)
0402 10 19 0402 21 19	Skimmed-milk powder Whole-milk powder	20	2 625	2 750	2 875	3 000	3 125
ex 0402 29	Milk or cream other than in powder, containing added sugar	20	210	220	230	240	250
0405 10	Butter	20	1 405	990	1 035	1 080	1 125
0406	Cheeses	20	1 260	1 320	1 380	1 440	1 500

C. PRODUCTS ORIGINATING IN LITHUANIA

Duty rate reduction of 80 % from 1 July 1996

CN code	Description (1)	Duty applicable (% of MFN) (2)	Annual quantity				
			From 1. 7. 1996 to 30. 6. 1997 (tonnes)	From 1. 7. 1997 to 30. 6. 1998 (tonnes)	From 1. 7. 1998 to 30. 6. 1999 (tonnes)	From 1. 7. 1999 to 30. 6. 2000 (tonnes)	From 1. 7. 2000 (tonnes)
0402 10 19 0402 21 19	Skimmed-milk powder Whole-milk powder	20	3 675	3 850	4 025	4 200	4 375
0402 99 11	Milk or cream, condensed, containing added sugar	20	220	240	260	280	300
0405 10 11 0405 10 19	Butter	20	1 260	1 320	1 380	1 440	1 500
0406	Cheeses	20	1 470	1 540	1 610	1 680	1 750

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the product description is to be considered as having no more than indicative value, eligibility for preferential treatment being determined by the coverage of the CN code. Where ex CN codes are indicated eligibility is to be determined by reference to the CN code and description taken together.

(2) Where an MFN minimum duty exists the applicable minimum duty is the MFN minimum duty multiplied by the percentage indicated in this column.'

ANNEX II

'ANNEX Ia

Quantities available for period 1 October to 31 December 1996

Country	Estonia			Latvia				Lithuania			
CN Code	0402 10 19 0402 21 19	0405 10 11 0405 10 19 Butter	0406 Cheeses	0402 10 19 0402 21 19	ex 0402 29	0405 10 Butter	0406 Cheeses	0402 10 19 0402 21 19	0402 99 11	0405 10 11 0405 10 19 Butter	0406 90 Cheeses
Quantity available (tonnes)	1 262,5	600	420	1 237,792	105	490	630	1 425,415	110	355	560'

ANNEX III

Coefficient to be applied to volumes of imported products for which reimbursement of customs duty is sought under Article 2

Country	Republic of Estonia			Republic of Latvia					Republic of Lithuania				
CN codes	0402 10 19 0402 21 19	0405 10 11 0405 10 19 Butter	0406 90 Cheeses	0402 10 19 0402 21 19	0405 10 11 0405 10 19 Butter	0406 10	0406 90 21 0406 90 23	0402 29 99	0402 10 19 0402 21 19	0405 10 11 0405 10 19 Butter	0406 10 80	0406 30 31 0406 30 39 0406 90 01	0402 29 99
In %	84	100	100	100	77,2	100	100	100	100	95,9	100	70	100