COMMISSION REGULATION (EC) No 694/96

of 17 April 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 (13) and Article 16 (1) and (4) thereof,

Having regard to Council Regulation (EC) No 3093/95 of 22 December 1995 laying down the rates of duty to be applied by the Community resulting from negotiations under GATT Article XXIV.6 consequent upon the accession of Austria, Finland and Sweden to the European Union (3), and in particular Article 5 thereof,

Whereas Commission Regulation (EC) No 1600/95 (4), as last amended by Regulation (EC) No 573/96 (5), should be adapted to take account of the negotiations under GATT Article XXIV.6, the results of which take effect on 1 January 1996 as regards the tariff quotas specified by country of origin; whereas the quantities set out in Annex I to Regulation (EC) No 1600/95 should accordingly be adjusted;

Whereas the description 'pizza cheese' in Schedule L XXX (European Communities) annexed to the Marrakesh Protocol to the General Agreements 1994 has been amended; whereas the description in Regulation (EC) No 1600/95 should be amended accordingly;

Whereas it transpires that certain provisions of Regulation (EC) No 1600/95 are incomplete or too restrictive; whereas they should accordingly be adapted;

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 2 (3), the words 'until the end of the second month following' are replaced by 'until the end of the third month thereafter'.

2. In the introductory part of Article 13 (d), the words 'licence applications' are replaced by 'licence applications and licences'.

3. Article 14 (4) is replaced by the following:

'4. (a) The Commission shall decide as soon as possible to what extent licences may be granted in response to applications submitted and shall inform the Member States of its decision.

(b) Notwithstanding Article 2 (4), licences shall be issued within a maximum of three working days of the Commission's decision as provided for in (a).

(c) (i) Where the total quantity covered by licence applications exceeds the quantity fixed, the Commission may apply an allocation factor to the quantities applied for.

(ii) Where the total quantity covered by licence applications is less than the quantity available, the Commission shall determine the quantity remaining, which shall be added to that available for the following period of the same year of import.'

4. Annex I is replaced by Annex I hereto.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 307, 20. 12. 1995, p. 10.
(3) OJ No L 334, 30. 12. 1995, p. 1.
(4) OJ No L 151, 1. 7. 1995, p. 12.
(5) OJ No L 80, 30. 3. 1996, p. 54.

5. In Annex II, the description opposite Order No 29 is replaced by the following:

'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.'

6. In Annex IV, the CN codes '0406 90 31' and '0406 90 50' opposite Order No 9 are replaced by 'ex 0406 90 31' and 'ex 0406 90 50' respectively.

7. Annex VII is replaced by Annex II hereto.

Article 2

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

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

Done at Brussels, 17 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

'ANNEX I

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
28	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
33	0406 90 01	Cheese for processing (1)	New Zealand Australia	4 000 500	17,06 17,06	see Annex VI (G) and (H)
35	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)
36	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

'ANNEX VII

ISSUING AGENCIES

Third country	CN code and description of goods		Issuing agency	
			Name	Location
Australia	0406 90 01 0406 90 21	Cheddar and other cheese for processing Cheddar	Australian Quarantine Inspection Service Department of Primary Industries and Energy	PO Box 30 World Trade Centre Melbourne, Vic. Australia 3005 Tel.: (3) 03 92 46 67 51 Fax: (3) 03 92 46 68 00
Bulgaria	ex 0406 90 29 0406 90 31 0406 90 50	Kashkaval Cheeses of sheep's milk or buffalo milk	Bulgarkontrola — SA	42, Partchevitch Street POB 106 Sofia 1080 — Bulgaria Tel.: (85151) 87 01 38 Fax: (882354) 87 34 48
Canada	0406 90 21	Cheddar	Canadian Dairy Commission Commission canadienne du lait	Ottawa
Cyprus	ex 0406 90 29 0406 90 31 ex 0406 90 50 ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Kashkaval Cheeses of sheep's milk or buffalo milk Halloumi	Ministry of Commerce and Industry	1421 Nicosia Cyprus Tel.: (02) 30 34 41/ 30 28 48 Fax: (02) 37 51 20
Hungary	ex 0406 90 29 0406 90 31 0406 90 50	Kashkaval Cheeses of sheep's milk or buffalo milk	Tejtermékek Magyar Allamí Elenörzö Allomasa	Budapest
Israel	ex 0406 90 29 0406 90 31 0406 90 50	Kashkaval Cheeses of sheep's milk or buffalo milk	Ministry of Industry and Trade, Food Division	Jerusalem
Norway	ex 0406 10 20 ex 0406 10 80 0406 30 ex 0406 90 39 ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Whey cheese Processed cheese Jarlsberg Ridder	Norwegian Dairies O. Kavli	PO Box 9051 Grønland 0133 Oslo Tel.: 22 93 88 00 Fax: 22 17 23 75 Postboks 338 N — 5051 Nesttun Tel.: 55 10 00 00 Fax: 55 10 15 00
New Zealand	0405 10 11 0405 10 19 0406 90 01 0406 90 21	Butter Butter Cheddar and other cheeses for processing Cheddar	New Zealand Dairy Board	PO Box 417 Wellington New Zealand Tel.: (4) 471 83 00 Fax: (4) 41 78 600

Third country	CN code and description of goods		Issuing agency	
			Name	Location
Romania	0406 90 25 ex 0406 90 29 0406 90 31 0406 90 50	Tilsit Kashkaval Cheeses of sheep's milk or buffalo milk	Organisatia de control al marfurilor "Romcontrol"	Bucharest
Switzerland	0402 29 11 0404 90 83	Special milk for infants lactantes	Office fédéral de l'agriculture du département fédéral de l'économie publique	Berne
	ex 0406 90 02 ex 0406 90 03 ex 0406 90 04 ex 0406 90 05 ex 0406 90 06 ex 0406 90 07 ex 0406 90 08 ex 0406 90 09	Appenzell Emmental, Gruyère Sbrinz	Office commercial pour le fromage d'Appenzell Union suisse du commerce de fromage SA	Saint-Gallen Berne
	ex 0406 90 18	Fromage Fribourgeois, Vacherin Mont d'Or, Tête de Moine	Société suisse des fabricants de fromages à pâte molle et mi-dure SFPM	Berne
	0406 20 10 0406 90 19	Glarus herb cheese	Chambre de commerce glaronaise et Société suisse des fabricants de fromages aux herbes à r.l.	Glarus
	0406 30	Processed cheese	Union Suisse du commerce de fromage SA	Berne
	0406 90 25	Tilsit	Centrale suisse du commerce du Tilsit and Office fédéral de l'agriculture du département fédéral de l'économie publique	Weinfelden Berne
Turkey	ex 0406 90 29 ex 0406 90 31 ex 0406 90 50 ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Kashkaval Cheeses of sheep's milk or buffalo milk "Tulum Peyniri"	T. C. Tarim Bakanligi	Veterinary services of the Tarim Bakanligi at various locations in Turkey
Yugoslavia	ex 0406 90 29 0406 90 31 0406 90 50	Kashkaval Cheeses of sheep's milk or buffalo milk'		