COMMISSION REGULATION (EC) No 249/2000

of 1 February 2000

amending Regulation (EC) No 1374/98 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products concerning the tariff quota for butter of New Zealand origin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], and in particular Articles 26(3) and 29(1) and (4) thereof,

Whereas:

(1) Council Regulation (EC) No 2250/1999 of 22 October 1999 concerning the tariff quota for butter of New Zealand origin [2], specifies that for the purpose of the implementation of that quota the phrase 'manufactured directly from milk or cream' does not exclude from eligibility under the quota, butter manufactured from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process which may involve the cream passing through a stage of concentrated milkfat and/or the fractionation of such milkfat. As butter of these types is classified by the Community as recombined butter falling under Combined Nomenclature code 0405 10 30, this code must be added to those indicated under order number 38 in Annex I and to those indicated under New Zealand in Annex VII to Commission Regulation (EC) No 1374/98 of 29 June 1998 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products [3], as last amended by Regulation (EC) No 2809/1999 [4].

(2) The corresponding amendment should enter into force as soon as possible to ensure that the appropriate customs classification is used.

(3) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1374/98 is hereby amended as follows:

1. In Annex I, the text corresponding to order number 38 is replaced by the text in Annex I to this Regulation.
2. In Annex VII, the information relating to New Zealand is replaced by the information in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on the 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, 1 February 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 160, 26.6.1999, p. 48.
[2] OJ L 275, 26.10.1999, p. 4.
[3] OJ L 185, 30.6.1998, p. 21.
[4] OJ L 340, 31.12.1999, p. 77.

ANNEX I

Order number in Annex 7 to the Combined Nomenclature (TARIC order number)	CN code	Description	Country of origin	Quota quanity (annual) (tonnes)	Import duty (EUR/100 kg net weight)	Rules for completing IMA 1 certificates
38 (09.4589)	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 without the use of stored materials, in a single, self-contained and uninterrupted process	New Zealand	76 667	86,88	See Article 9
	ex 0405 10 30	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 without the use of stored materials, in a single, self-contained and uninterrupted process which may involve the cream passing through a stage of concentrated milkfat and/or the fractionation of such milkfat (the processes referred to as 'Ammix' and 'Spreadable')				

ANNEX II

Third country	CN code and discription		Issuing agency	
			Name	Location
New Zealand	ex 0405 10 11	Butter	New Zealand Dairy Board	PO Box 417 Wellington New Zealand Tel. (4) 471 83 00 Fax (4) 471 86 00
	ex 0405 10 19	Butter		
	ex 0405 10 30	Butter		
	ex 0406 90 01	Cheddar and ohter cheese for processing		
	ex 0406 90 21	Cheddar		