I. General policy framework

1. The objectives of the Common Agricultural Policy are set forth in Article 39 of the Treaty of Rome establishing the European Economic Community, aiming in particular to increase agricultural productivity, stabilize markets, assure availability of supplies, and ensure that supplies reach consumers at reasonable prices. The principles of the Common Agricultural Policy are: maintenance of a single market, Community preference and financial solidarity among member States. The instruments of the Common Agricultural Policy are an agricultural market and price policy covering almost 91 per cent of agricultural end products and an agricultural socio-structural policy.

2. The market and price policy is implemented within the framework of the common organization of the market in agricultural products. There are various support mechanisms, ranging from minimum protection at the external frontier of the Community for poultry products (levy based on the quantity of feedgrains needed as a production input) to the establishment of minimum prices (sugar beet) or guarantee of purchase by public agencies at a fixed intervention price. The target price and guide price are not guaranteed prices but constitute a floor for market price trends within the Community above which imports are necessary to ensure supplies for Community consumers. In general, the common organization is a single system without any differentiation on the basis of regional or other criteria. Given that the growth rate of agricultural output is higher than that of consumption, the Community has, for a number of years, been observing a prudent policy in regard to prices.
3. The Community has bound certain tariff commitments within GATT. Under individual agreements or treaties, it maintains preferential trade relations with many countries or regions of the world. At world level, the Community is the largest importer of agricultural and foodstuff products.

4. The socio-structural policy is implemented within the framework of common actions designed to secure optimum use of production factors at the stage of agricultural production and of initial processing of agricultural products. Its implementation depends on action by operators who must meet certain conditions in order to qualify for support measures which are largely allocated in the form of interest rebates. Apart from general régimes, the socio-structural policy of the Community also includes measures in respect of a single production factor (for example the cattle herd) or specified regions (for example the hill regions). With a view to attaining Community objectives for production, the socio-structural provisions may be amended, supplemented or suspended in respect of certain sectors.

II. Procedures

The Council determines basic provisions, acting on a proposal by the Commission after having obtained the opinion of the European Parliament and the Economic and Social Committee. Each year the Council also fixes the institutional prices required for the common organization of the market in agricultural products. The Commission has responsibility for market management and the implementation of socio-structural measures, acting through Management Committees and the Standing Committee on Agricultural Structures.

III. Economic significance of the bovine/milk and meat sector

The bovine/milk sector is by far the most important sector in EEC agriculture, accounting for 33 per cent of end production by Community agriculture. It is a source of income for some 3 million farms (i.e. 52 per cent of the total number of farms). Some 1.6 million farms have dairy cows, representing approximately 80 per cent of the total cow herd. Consequently, mixed fatstock/dairy farming is very important.

In recent years there has been a pronounced fall in the number of fat-stock and dairy farmers (by 20 per cent between 1973 and 1977), and a slight decline in the number of animals. The dairy-cow herd has remained relatively stable since 1975, at approximately 25 million head. However, as a result of the introduction of milk quotas (April 1984) the number of dairy cows declined by about 1.5 million between 1983 and 1985. In 1986 the number of dairy cattle will be well below 24 million. The average size of herds in the Community is 33 bovine animals and 16 dairy cows. Because of increasing yields, the annual variation rate for milk production in the period 1973 to 1983 was 2 per cent. Beef and veal production showed an annual variation rate of 1.1 per cent during this period. This rate was higher for calves (1.6 per cent) than for beef cattle (1.0 per cent).
A. PRODUCTION

I. Support and/or stabilization measures

The common organization of markets in the milk and milk products sector is based on Regulation (EEC) No. 804/68. In order to ensure a certain producer price level, a target price is fixed for milk delivered to processing plant.

In order to attain the target price, an intervention system exists within the Community (intervention price) and a system covering trade with third countries (import levies, export refunds, safeguard measures).

(a) Instruments

1. Price system

The following prices are fixed for each milk year:

- target price for milk
- intervention price for - butter
  - skimmed milk powder
  - Grana Padano and Parmigiano Reggiano cheeses
- threshold price.

In principle, these prices become applicable on 1 April, i.e. at the beginning of the milk year, and remain valid until 31 March of the following year. They can be adjusted in the course of the milk year if the situation so requires; they can also be fixed in two stages.

- Target price for milk:

  This is the milk price that the Community policy aims "to obtain for the aggregate of producers' milk sales, on the Community market and on external markets, during the milk year". It is a target price, therefore, but not a guaranteed price. It applies to milk containing 3.7 per cent of fat, delivered to the dairy.

- Intervention prices:

  The intervention prices contribute to attaining the target price for milk, but they do not allow dairies, in respect of the quantities they have offered for intervention (free at warehouse), to pay to producers a milk price absolutely equivalent to the target price.
- Threshold prices:

Threshold prices are applied at the external frontier of the Community upon importation, constituting a protection for the target price for milk as well as an instrument through which market supplies can be secured by means of imports in the event of any shortage or threat thereof (fuller details are given under C "import and export measures").

2. Intervention system

In order to try to ensure the target price for milk to the producer, the intervention system extends to products that play a particularly significant rôle in the formation of producer prices for milk. This result can be achieved:

- either by supporting the component elements of milk, through intervention in favour of butterfat (butter) or milk proteins (skimmed milk powder)

- or by supporting milk as a raw material, through intervention in favour of cheeses (Grana Padano and Parmigiano Reggiano, whose production constitutes the basis of the milk products sector in Italy).

(1) Interventions

(a) Purchase at the intervention price (public storage)

Butter and skimmed milk powder that cannot be sold on the normal market are bought in by the intervention agencies provided the product meets certain criteria in respect of quality, age and packaging.

Disposal of bought-in products takes place in accordance with Commission regulations when the situation allows and in such a way that normal trade channels are not disturbed when butter is returned to the market.

(b) Aid to private storage of butter and cream

In order to ensure that normal market supplies of butter are available during the winter months and on price conditions similar to those prevailing during the rest of the year, aid to private storage of butter and cream is granted to certain market operators. The storage period runs from 1 April to 15 September; the period of release from storage runs from 16 September to 31 March of the following year. The minimum storage period is four months.

Under certain conditions the Council may also decide to grant aid to private storage of skimmed milk powder.
(2) Aid to skimmed milk processed into casein and caseinates

Aid is granted in respect of skimmed milk processed into casein and caseinates. The amount of the aid is adjusted according to the quality of the products obtained.

(3) Intervention for cheeses

As has already been indicated, there is an intervention purchase system for Grana Padano and Parmigiano Reggiano cheeses.

For these cheeses, and also for Provolone, there is a system of private storage aid. For other Italian cheeses and long-keeping cheese a system of private storage aid can be introduced if market conditions so require. This is the case in particular for Pecorino Romano and Emmenthal cheeses (including Gruyère, Comté and Beaufort).

3. Prices

(a) Guaranteed intervention prices

<table>
<thead>
<tr>
<th>Intervention price applicable for</th>
<th>Milk year</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1983/84</td>
<td>1984/85(^1)</td>
</tr>
<tr>
<td>1. Butter</td>
<td>357.86</td>
<td>319.70</td>
</tr>
<tr>
<td>2. Skimmed milk powder</td>
<td>149.64</td>
<td>165.88</td>
</tr>
<tr>
<td>3. Cheeses:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Grana Padana</td>
<td></td>
<td></td>
</tr>
<tr>
<td>. from 30 to 60 days old</td>
<td>361.28</td>
<td>381.75</td>
</tr>
<tr>
<td>. at least 6 months old</td>
<td>439.53</td>
<td>472.75</td>
</tr>
<tr>
<td>- Parmigiano Reggiano at</td>
<td></td>
<td></td>
</tr>
<tr>
<td>. least 6 months old</td>
<td>480.26</td>
<td>521.61</td>
</tr>
</tbody>
</table>

The above intervention prices involve a change in the fats/nitrogenous substances ratio from 55/45 to 50/50. For this reason, the intervention prices for cheeses and skimmed milk powder have been increased in spite of the fixing of a target price for milk equal to that of the 1983/84 milk year.

For the 1985/86 milk year the fats/nitrogenous substances ratio has been further modified from 50/50 to 48/52.
(b) Amount of producer subsidies

The grant of producer subsidies in the dairy sector is limited to aid for casein and caseinates. Since 1 October 1981 this aid has been as follows (in ECU/100 kg. of skimmed milk):

<table>
<thead>
<tr>
<th>Date</th>
<th>Amount (ECU/100 kg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 October 1981</td>
<td>5.35</td>
</tr>
<tr>
<td>1 June 1982</td>
<td>6.25</td>
</tr>
<tr>
<td>1 June 1983</td>
<td>6.50</td>
</tr>
<tr>
<td>2 April 1984</td>
<td>8.00</td>
</tr>
<tr>
<td>1 June 1985</td>
<td>8.55</td>
</tr>
</tbody>
</table>

(c) Average returns to producers

Remuneration of milk producers is directly linked to the level of the target price which has developed as follows (on the basis of 3.7 per cent fat content):

<table>
<thead>
<tr>
<th>Target price</th>
<th>Prices received by producers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Milk year 1977/78:</td>
<td>20.98</td>
</tr>
<tr>
<td>Milk year 1978/79:</td>
<td>21.40</td>
</tr>
<tr>
<td>Milk year 1980/81:</td>
<td>22.26</td>
</tr>
<tr>
<td>Milk year 1981/82:</td>
<td>24.26</td>
</tr>
<tr>
<td>Milk year 1982/83:</td>
<td>26.81</td>
</tr>
<tr>
<td>Milk year 1983/84:</td>
<td>27.43</td>
</tr>
<tr>
<td>Milk year 1984/85:</td>
<td>27.43</td>
</tr>
<tr>
<td>Milk year 1985/86:</td>
<td>27.84</td>
</tr>
</tbody>
</table>

1 Net price ex-farm (after deduction of VAT, subsidy, or co-responsibility levy) (Source: Eurostat).

Prices actually received by producers vary around the target price. Differences between individual real payments are attributable in particular to the distance between producer and dairy, market prices for processed products, etc.

II. Policies and measures of governments or other bodies likely to influence production, other than those listed under I

Since milk production is surplus in the Community, certain measures are taken in order to slow down and discourage milk production:

(a) Co-responsibility levy

The milk producer pays a compulsory contribution in the form of a percentage of the price of milk, set for the milk year 1983/84 at 2 per cent of the target price for milk. He then pays part of his milk income into a special fund designed to promote and expand sales of dairy products.
The compulsory contribution for the 1985/86 milk year has been fixed at 2 per cent of the target price for milk. A figure of 2 per cent has also been proposed for the 1986/87 milk year.

(b) Additional levy payable by producers or purchasers of cow's milk

An additional levy has been introduced on quantities of milk in excess of those delivered during 1981, plus 1 per cent, and the Council has determined the quantities in question for each member State. The relevant measures were adopted by the Council by Regulation (EEC) No. 856/84 (JO L 90 of 1 April 1984), and Regulation (EEC) No. 857/84 (same JO).

The total quantity for the Community is 98.363 million tons per milk year. At the same time, the Council fixed a reference quantity for direct sales to consumers. This quantity amounts to 4.2 million tons. At the option of the member State, the total quantity is distributed among either individual producers (formula A) or dairies (formula B). On quantities exceeding the quotas, 75 per cent of the target price for milk is levied where formula A is applied, and 100 per cent where formula B is applied.

The amount of milk delivered annually to dairies declined by 4 million tons between 1983 and 1985 as a result of this measure.

(c) Measures taken in the context of the production structure

The Community provisions adopted in the context of the production structures policy are more restrictive in the dairy sector than in the other agricultural production sectors. Accordingly:

- aids for the purchase of cattle are subject to the condition that the share of sales from cattle-farming and sheep-farming makes up more than 60 per cent of overall sales by the farm (Article 9 of Directive EEC/72/159);

- aids for the purchase of dairy cows and heifers are forbidden (Regulation (EEC) 1081/77);

- the compensatory allowance for dairy cows in less-favoured regions (Directive EEC/75/268) is only 80 per cent of the allowance granted in hill regions and is paid for not more than ten cows.

(d) Measures taken in the context of marketing structure and processing of dairy products

Under Regulation (EEC) 355/77, the Community has participated in certain investment projects concerning modernization and rationalization of undertakings engaged in milk processing and dairy product marketing.
B. INTERNAL PRICES AND CONSUMPTION

I. Representative retail and wholesale prices on major domestic markets

(a) Ex-dairy prices per 100 kg. of product

<table>
<thead>
<tr>
<th>Period</th>
<th>Butter ECU</th>
<th>%</th>
<th>Skimmed milk powder ECU</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1977</td>
<td>261,770</td>
<td>100</td>
<td>113,046</td>
<td>100</td>
</tr>
<tr>
<td>1978</td>
<td>274,117</td>
<td>105</td>
<td>115,751</td>
<td>102</td>
</tr>
<tr>
<td>1979</td>
<td>281,296</td>
<td>108</td>
<td>117,876</td>
<td>104</td>
</tr>
<tr>
<td>1980</td>
<td>292,387</td>
<td>112</td>
<td>121,134</td>
<td>107</td>
</tr>
<tr>
<td>1981</td>
<td>317,843</td>
<td>121</td>
<td>130,888</td>
<td>116</td>
</tr>
<tr>
<td>1982</td>
<td>340,185</td>
<td>130</td>
<td>139,517</td>
<td>123</td>
</tr>
<tr>
<td>1983</td>
<td>351,299</td>
<td>134</td>
<td>144,004</td>
<td>127</td>
</tr>
<tr>
<td>1984</td>
<td>327,901</td>
<td>125</td>
<td>160,344</td>
<td>142</td>
</tr>
<tr>
<td>1985</td>
<td>314,862</td>
<td>120</td>
<td>169,209</td>
<td>150</td>
</tr>
</tbody>
</table>

1 Arithmetic mean for all markets

Source: Directorate Général for Agriculture

(b) Consumer prices per kg.

Product: BUTTER

<table>
<thead>
<tr>
<th>Period</th>
<th>Belgium BF/kg.</th>
<th>Denmark DKr/kg.</th>
<th>Germany, F.R. DM/250g.</th>
<th>France FF/kg.</th>
<th>Ireland Pence/1b.</th>
<th>Italy L/kg.</th>
<th>Netherlands f./250g.</th>
<th>United Kingdom Pence/500g.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982</td>
<td>185</td>
<td>3,154</td>
<td>2.58</td>
<td>26.19</td>
<td>75.0</td>
<td>7,097</td>
<td>2.62</td>
<td>99.2</td>
</tr>
<tr>
<td>1983</td>
<td>205</td>
<td>3,307</td>
<td>2.55</td>
<td>27.49</td>
<td>83.7</td>
<td>8,097</td>
<td>2.78</td>
<td>99.1</td>
</tr>
<tr>
<td>1984</td>
<td>203</td>
<td>3,597</td>
<td>2.53</td>
<td>28.10</td>
<td>92.9</td>
<td>8,489</td>
<td>2.54</td>
<td>100.5</td>
</tr>
</tbody>
</table>
II. Factors which condition the evolution and level of internal consumption

For some time past the following trends have been apparent in the Community for consumption of dairy products:

- a decline in consumption of fresh milk, slower increase in consumption of yoghurt and fresh cream, and marketing of uperized and sterilized milk in preference to pasteurized milk;

- in view of a further reduction of approximately 1.2 per cent in the price of butter, per capita consumption of butter might well stabilize at its present level;

- increasing cheese consumption.

These trends are in the first place attributable to a change in consumer habits among the Community population: an increasing preference for products with a low fat content in the sector of milk-based consumer products, and for easily storable products. In overall fat consumption, butter continues to decline in importance, with a - very minor - shift to fats and oils of land animals. Rising cheese consumption is attributable to the ever-improving quality, diversity and presentation of supply as well as to the marketing efforts that cheese producers are making throughout the Community.

III. Policies and measures affecting consumption

With a view to promoting consumption, the Community engages in various activities.

1. The fund resulting from the co-responsibility levy (see A 2(a)) is used in particular to finance the following measures either partly or in full:

(a) Within the Community:

- market research
- sales promotion drives
- improvement of milk quality
- fresh milk at reduced price for schools
- butterfat at reduced price for ice cream
- concentrated butter at reduced price for cooking

(b) Outside the Community:

- market research
- technical assistance.
2. Subsidy to consumption of milk and milk products in schools

In order to encourage consumption of milk and milk products, a "school milk" subsidy has been established. This measure is limited, therefore, to young consumers in the Community for whom milk meets a physiological need and gives them certain food habits.

It is financed out of the proceeds of the co-responsibility levy.

3. Specific activities in the field of publicity, promotion and market research

Out of the proceeds of the co-responsibility levy, the Community finances publicity and promotion activities in favour of human consumption in the member States, in particular in the form of publications, collection of existing publications and dissemination.

It also encourages research activities designed to enlarge markets, in particular research for new or improved products and scientific examination of the nutritional aspects of consumption of milk and its component elements.

4. Subsidies to butter consumption

Under the Community regulations, in the event of any surplus of butterfat or threat thereof, measures can be taken to facilitate disposal.

The following activities may be mentioned:

- General and permanent subsidy:
  This aid, designed to reduce the consumer price of butter is in operation in certain member States.

- Subsidy to welfare recipients:
  Under certain conditions, needy persons in the Community can purchase butter at a reduced price.

- Sale of butter at a reduced price for the manufacture of pastry-cooks' products, biscuits, bakers' products and ice-cream, and of concentrated butter for cooking.

- Sale of butter at a reduced price to armed forces and assimilated units as well as to non-profit making groups.

5. Subsidies to consumption of skimmed milk (liquid or in powder form) for animal feed

These aids are granted primarily in order to encourage utilization for animal feed. To this end, the amounts are fixed taking into account the following criteria:
- the intervention price for skimmed milk powder applicable during the milk year concerned;
- the trend in the supply situation for skimmed milk and powdered milk, and use thereof for animal feed;
- the trend in the price of calves;
- the trend in market prices for competing proteins as compared with the price of skimmed milk powder.

The system is applicable to:

(a) - liquid skimmed milk sold back by the dairy to the farm;
- liquid skimmed milk used directly at the farm where produced.

The amount of the aid varies according to the kind of animals, a higher amount being applicable in respect of animals other than young calves.

(b) Skimmed milk powder:
- on condition the product is denatured or incorporated in milk feed. If the stock situation so requires, special measures can be applied to encourage use of skimmed milk powder in the sector of "pig and poultry" compound feed.

* * *

All these activities to promote consumption are at present proceeding satisfactorily. It is not yet possible, however, to make any definite assessment as to their effect.

C. MEASURES AT THE FRONTIER

I. Common customs tariff - Chapter 4


(b) Annex to common customs tariff (sub-heading 04.04.exA) (see Annex I(b)).

(c) Regulation (EEC) No. 2915/79 determining the groups of products and the special provisions for calculating levies on milk and milk products, as last amended by Regulation (EEC) No. 748/86 (OJ L 71 of 14 March 1986) (see Annex I(c)).

(d) Price levels

Threshold Prices of Milk Products

<table>
<thead>
<tr>
<th>Pilot product</th>
<th>Threshold price applicable during milk year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1983/84</td>
</tr>
<tr>
<td>1. Whey powder</td>
<td>53.76</td>
</tr>
<tr>
<td>2. Skimmed milk powder</td>
<td>171.62</td>
</tr>
<tr>
<td>3. Whole milk powder</td>
<td>265.07</td>
</tr>
<tr>
<td>4. Concentrated milk not containing added sugar</td>
<td>102.43</td>
</tr>
<tr>
<td>5. Concentrated milk containing added sugar</td>
<td>133.69</td>
</tr>
<tr>
<td>6. Butter</td>
<td>393.22</td>
</tr>
<tr>
<td>8. Blue-veined cheese</td>
<td>313.23</td>
</tr>
<tr>
<td>9. Parmigiano Reggiano</td>
<td>524.81</td>
</tr>
<tr>
<td>10. Cheddar</td>
<td>347.34</td>
</tr>
<tr>
<td>11. Other cheeses</td>
<td>311.06</td>
</tr>
<tr>
<td>12. Lactose</td>
<td>95.59</td>
</tr>
</tbody>
</table>

\(^1\)Because of the reduction in the intervention price for butter, the threshold price for butter has also been reduced. In addition, the changes in the threshold prices for other pilot products are due to the change in the fats/proteins ratio.

II. Import measures at tariff line level

1. General rules

(a) A variable levy is applied on import, except in respect of products for which the Community has concluded special agreements or arrangements, the list and conditions of which are indicated in section 2 below.
On the basis of the target price for milk, the Council fixes a threshold price for milk products which are divided into groups. For each of these groups a pilot product is designated for which a threshold price is set (see Annex I to Regulation (EEC) No. 2915/79 - Annex 1(c)) taking into account:

- the ratio of the fat content to the protein content of milk;
- the protection that must be afforded to the Community processing industry.

(b) The threshold price is used for calculating the levy which is determined as being the difference between that same threshold price and the free-at-frontier price for each product, on the basis of the most favourable purchase possibilities in international trade. The levy is fixed by the Commission on the first and sixteenth of each month. If necessary, the Commission can adjust the levy in the interval between those two dates.

(c) For certain products within the same group, but different from the pilot product, a derived levy can be calculated according to the rules set forth in Regulation (EEC) No. 2915/79 (see Annex I(c)).

(d) In the case of shortage, or a threat thereof, of one or more milk products in the Community, the threshold price makes it possible to ensure market supplies at a price level corresponding to the target price for milk.

(e) For prepared feedingstuffs falling within CCT heading 23.07 (compound feedingstuffs containing more than 50 per cent of milk products) the levy is calculated in relation to the quantity of maize and milk products incorporated in the compound feedingstuff (Article 2:4 Regulation (EEC) No. 2915/79).

2. Special import régimes

(a) Special milk for infants falling within CCT sub-heading 04.02.B I(a).

The specific levy for these products is at the rate of 36.27 ECU/100 kg. (Article 3:6 of Regulation (EEC) No. 2915/79).

This is an autonomous concession granted by the Community to Switzerland and applicable since 1 August 1967. Under that concession, these products are admitted to the Community on certain conditions, in particular in respect of the fat content and characteristics of the product. The products are admitted to this sub-heading only if accompanied by a certificate I.M.A. 1 issued by an agency approved by the Community (see Regulations (EEC) No. 2695/79 and (EEC) No. 1054/68 as last amended by Regulation (EEC) No. 2966/79 hereinafter referred to "admission regulations").
(b) Emmenthal, Gruyère, Sbrinz, Bergkäse and Appenzell cheeses, falling within sub-heading 04.04.A.I of the CCT.

The specific levies applicable to these products are at the rate of 9.07 and 18.13 ECU/100 kg. according to the free-at-frontier value specified in the CCT. This is a GATT binding concluded on:

- 29 June 1967 in respect of Switzerland;
- 26 March 1968 in respect of Austria;
- 31 May 1968 in respect of Finland.

Accordingly, these products are admitted to the Community on certain conditions concerning, in particular, the composition and age of cheese as well as observance of a minimum free-at-frontier value. The products concerned are admitted to this sub-heading only if accompanied by a certificate I.M.A. 1 issued under the provisions of the admission regulations.

The minimum free-at-frontier prices are index-related to the target price for milk in the Community.

In the case of Austria and Finland, the observance of a minimum free-at-frontier value is suspended until 31 December 1984 and replaced by commitment by those countries to limit their exports to the Community to the traditional level.

This level has been fixed by agreement at:

- 8,000 tons in the case of Austria and
- 7,200 tons in the case of Finland, including a maximum of 2,900 tons for Finlandia cheese falling within CCT sub-heading 04.04.E.I(b).2.

(c) Glarus cheese, falling within sub-heading 04.04.B of the CCT.

The customs duty of 12 per cent is bound in GATT. Since 1 January 1973 this duty has been reduced to 6 per cent under an autonomous concession.

These products are admitted to the Community provided they are accompanied by a certificate I.M.A. 1 issued under the provisions of the admission regulations.

(d) Processed cheese falling within sub-heading 04.04.D.1.

The specific levy applicable to these products is at the rate of 36.27 ECU/100 kg.
This is an autonomous concession granted by the Community to Switzerland as from 1 August 1967 and extended to Austria on 26 March 1968 and to Finland on 31 May 1968.

These products are admitted provided they correspond to a definition stipulated in that sub-heading, that they observe a certain free-at-frontier value and that they are accompanied by a certificate I.M.A. 1 issued under the provisions of the admission regulations.

In the case of Austria and Finland, the observance of a minimum free-at-frontier value is suspended until 31 December 1984 and replaced by a commitment by those countries to limit their exports to the Community to the traditional level.

This level has been fixed by agreement at:

- 3,750 tons in the case of Austria and
- 550 tons in the case of Finland.

(e) Cheddar cheese falling within sub-heading 04.04.E.I(b).1 of the CCT.

The specific levies applicable to these products are 12.09 ECU/100 kg. for imports of cheese from Canada and 15.00 ECU/100 kg. for imports of cheese from Australia and New Zealand.

This is a GATT binding in respect of Australia and New Zealand (9,000 tons) and an autonomous concession in respect of Canada (2,750 tons).

The above-mentioned levies are applicable within the tariff quotas specified in Article 9 of Regulation (EEC) No. 2915/79 (Annex I (c)).

The tariff quota of 2,750 tons granted to Canada is not mentioned in the common customs tariff since this is an autonomous concession.

Under the import régime applicable to these cheeses, the products concerned must meet certain technical characteristics such as fat content, age and minimum free-at-frontier values and must be accompanied by a certificate I.M.A.1 issued under the provisions of the admission regulations.

(f) Cheddar cheese intended for processing falling within sub-heading 04.04.E.I(b).1 as well as other cheeses intended for processing falling within sub-heading 04.04.E.I(b).2.

The specific levies applicable to these products are at the rate of 12.09 ECU/100 kg.
This is a GATT binding granted to Australia and New Zealand (3,500 tons).

The above-mentioned levies are applicable within the tariff quotas referred to in Article 9 of Regulation (EEC) No. 2915/79 (Annex I (c)).

The import régime applicable to these cheeses is the same as that mentioned in point (e) with a difference in respect of use of the product. Under Regulation (EEC) No. 2967/79 these cheeses are considered as processed when they have been processed into products falling within sub-heading 04.04.D of the CCT (processed cheese).

(g) - Tilsit and Butterkäse cheese falling within sub-heading 04.04.E.I(b).2;
   - Kashkaval cheese falling within sub-heading 04.04.E.I(b).3;
   - Cheese of sheep's milk or buffalo's milk, falling within sub-heading 04.04.E.I(b).4.

These products are subject to a levy equal to the difference between the threshold price for Group 11 and the prices stipulated for each cheese in Article 11 of Regulation (EEC) No. 2915/79. Consequently, the amount of the levy varies only in the event of any change in the threshold price or the recorded import price.

These are autonomous concessions granted to:

- Switzerland and Romania for Tilsit;
- Romania, Bulgaria, Hungary and Turkey for Kashkaval and cheese of sheep's milk or buffalo's milk.

Import of these products is subject to production of a certificate I.M.A.1 issued under the provisions of the admission regulations.

(h) For certain cheeses for which the exporting country has made a commitment to limit its exports to the Community to the traditional level, a reduced levy is applied. These are the following cheeses, originating in and coming from Austria and accompanied by an approved certificate:


**Quantity Import levy**

- Tilsit, not pressed, matured for at least one month, and Butterkäse, falling within sub-heading 04.04.E.I(b).2 of the CCT

- Blue-veined cheese falling within sub-heading 04.04.C of the CCT

- Edam of a fat content, by weight, in the dry matter, of not less than 40 per cent but less than 48 per cent, in whole cheeses of a net weight not exceeding 350 gr. (known as "Geheimratskäse"), falling within sub-heading 04.04.E.I(b).2 of the CCT

- Cheese known as "Feta" and "Kefalotyri", made of cow's milk, of a fat content, by weight, in the dry matter, of less than 48 per cent falling within sub-heading 04.04.E.I(b).2 of the CCT

(i) Butter falling within sub-heading 04.03.A of the CCT.

**Transitional régime** in accordance with the provisions of Protocol 18 of the Act of Accession to the Communities of Denmark, Ireland and the United Kingdom in respect of United Kingdom imports of butter from New Zealand.

The Council decided (Regulation (EEC) No. 3667/83) that the quantities authorized for import into the United Kingdom from New Zealand would be 81,000 tons for the year 1985 and 79,000 tons for the year 1986. A special levy is charged upon importation.

### III. Export measures at tariff line level

#### 1. General rules

(a) Under the provision of Article 17 of Regulation (EEC) No. 804/68, the Community may grant export refunds to cover the difference between internal prices and prices in international trade of milk products. The refund thus fixed is the same for the whole Community, but may be varied according to the country of destination to take account of any specific features of those markets. The refunds must be fixed at least every four weeks.

(b) When the refund is being fixed, account is taken, in particular, of the need to establish a balance between the use of Community basic products in the manufacture of goods for export, and the use of third country products brought in under inward processing traffic (I.P.T.).
In inward processing traffic is excluded for the products mentioned in Article 1 of Regulation (EEC) No. 804/68 if they are to be used for the manufacture of the products referred to in that Article or of goods listed in the Annex to that Regulation (see Regulation (EEC) No. 866/84 (JO L 90 of 1 April 1984)).

(c) The amount of the refund may be fixed in advance. The period differs according to the product. Nevertheless, for certain products and certain destinations, advance fixing of refunds is excluded (in particular for cheeses in respect of which minimum export prices must be observed under export commitments). The provisions regarding advance fixing of refunds are set forth in Regulation (EEC) No. 2044/75.

2. Special export régimes

(a) Agreement between EEC and Switzerland: this Agreement provides for observance of a price free-at-Swiss-frontier which may be adjusted after consultation of both parties. This régime applies only to certain cheeses listed in Annex II.B to Regulation (EEC) No. 1953/82. The cheeses concerned must be accompanied by a certificate (Annex II.C to that Regulation).

(b) Agreement between EEC and Spain: this Agreement lost its validity on 1 March 1986 as a result of Spain's accession to the Community.

(c) Agreement between EEC and the United States: this Agreement provides in particular, on the United States side, for the opening of quotas for the EEC in a total amount of 43,544 tons per annum as well as for the admission, without quantitative limitation, of soft ripened cheese corresponding to an agreed description.

On the EEC side, there is a commitment to observe the prices of United States-produced cheeses, at the wholesale stage, for cheeses under quota.

(d) Agreement between EEC and Canada: this Agreement on cheeses provides in particular on the Canadian side for the opening of a global quota for the EEC equivalent to not less than 60 per cent of the global quota opened for the import into Canada of not less than 45 million pounds (approximately 20,400 tons of which 12,240 for the EEC).

On the EEC side, there is a commitment to observe the price of cheeses produced in Canada at the ex-works stage.

(e) Agreement between EEC and Australia: this Agreement provides in particular that no quantitative restriction or customs duty will be applied to "fancy cheeses" (soft ripened cheese), while for Edam and Gouda cheeses the duty of $A0.096/kg. will be charged on an amount not exceeding 1,000 tons per annum; on other cheeses this same duty will be charged on an amount not exceeding 2,500 tons per annum.

The purpose of the Agreement is to make it possible to stabilize trade at a quantitative level corresponding to the traditional trade:

- Imports into Norway:
  for all types and varieties of cheeses, within the limit of:
  
  1,960 tons for 1986  
  2,060 tons for 1987  
  2,160 tons for 1988

- Imports into the Community:
  for Jarlsberg cheese, within the limit of:
  
  1,700 tons for 1986  
  1,800 tons for 1987  
  1,900 tons for 1988

The import levy has been fixed at 55 ECU/100 kg.

3. Products for which no refund is granted

No export refund is granted for:

- products falling within headings 04.01, 04.02, 04.03 and 23.07 of the CCT for export to zone E (USA);

- whey, whey powder, lactose and lactose syrup falling within sub-headings 04.01 and 04.02.A.I, 17.02.A.II and 21.07.F.I of the CCT;

- cheese having a water content in the non-fatty matter exceeding 62 per cent, except cottage cheese and cream cheese;

- most cheeses having a dry matter content of less than 32 per cent.

4. Milk products exported in the form of goods not covered by Annex II of the Treaty

A refund may be granted on milk products exported in the form of goods listed in the Annex to Regulation (EEC) No. 804/68.

This refund is calculated in relation to the quantities of milk products incorporated in the exported end product. It is valid for one month.
The amount granted on incorporated milk products is normally equal to the amount of the same products exported in unaltered state.

The general rules for fixing these refunds are set forth in Regulation (EEC) No. 3035/80.

5. Food aid

The food aid programme of the Community for 1985 covers:

- 108,600 tons of skimmed milk powder
- 28,700 tons of butter oil.

IV. Description of internal regulations and of agreements governing admission of products

All the measures provided for the admission of milk products into the Community have been indicated under Sections I and II.

For full information, in particular in regard to product classification upon import into the Community, it may be useful to annex the explanatory notes to the Brussels nomenclature in respect of Chapter 4 (see Annex I(c)).

V. Reasons and circumstances why frontier measures were instituted

The frontier measures are solely in pursuance of the bilateral or multilateral agreements that the Community has concluded with its trade partners over many years, in order primarily:

- to develop trade in milk products;
- to import and export these milk products at prices that do not jeopardize the Community's markets, on the one hand, and markets of the countries of destination, on the other hand;
- to collaborate with other countries for greater stabilization of the world market in regard to the volume of trade and prevailing prices.
ANNEX I(a)

CHAPTER 4

DAIRY PRODUCE; BIRDS' EGGS; NATURAL HONEY; EDIBLE PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED OR INCLUDED

Notes

1. The expression "milk" means full cream or skimmed milk, buttermilk, whey, curdled milk, kephir, yoghurt and other fermented or acidified milk.

2. Milk and cream put up in hermetically sealed cans are regarded as preserved within the meaning of heading No 04.02. However, milk and cream are not regarded as so preserved merely by reason of being pasteurised, sterilised or peptonised, if they are not put up in hermetically sealed cans.

Additional Notes

1. The term "cans", as used in Note 2 to this Chapter, shall be taken to apply only to such containers of a net capacity not exceeding 5 kg.

2. The expression "special milk for infants", as used in subheading 04.02 B I a), shall be taken to mean products free from pathogenic and toxigenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.

3. For the purpose of calculating the fat content of products falling within subheadings 04.02 B I b) and B II b), the weight of any added sugar shall be disregarded.

4. The levy applicable to mixtures falling within this Chapter and composed of products classified under subheading 04.01 B, 17.02 A or 21.07 F I or heading No 04.02, 04.03 or 04.04 shall be that applicable to the ingredient which involves the higher or highest levy and which also forms at least 10% by weight of the mixture concerned. Where this method of assessing the levy cannot be applied, the levy to be applied to such mixtures shall be that determined by the tariff classification of the mixtures.

<table>
<thead>
<tr>
<th>Heading number</th>
<th>Description</th>
<th>Rate of duty</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Autonomous % or levy (L)</td>
</tr>
<tr>
<td>04.01</td>
<td>Milk and cream, fresh, not concentrated or sweetened:</td>
<td>3</td>
</tr>
<tr>
<td>A. Of a fat content, by weight, not exceeding 6%:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Yoghurt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) In immediate packings of a net capacity of two litres or less</td>
<td>16 (L)</td>
<td>-</td>
</tr>
<tr>
<td>b) Other</td>
<td>16 (L)</td>
<td>-</td>
</tr>
<tr>
<td>II. Other:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight:</td>
<td>16 (L)</td>
<td>-</td>
</tr>
<tr>
<td>1. Not exceeding 4%</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>2. Exceeding 4%</td>
<td>16 (L)</td>
<td>-</td>
</tr>
<tr>
<td>b) Other, of a fat content, by weight:</td>
<td>16 (L)</td>
<td>-</td>
</tr>
<tr>
<td>1. Not exceeding 4%</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>2. Exceeding 4%</td>
<td>16 (L)</td>
<td>-</td>
</tr>
<tr>
<td>Heading number</td>
<td>Description</td>
<td>Rate of duty</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------</td>
<td>-------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Autonomous % or levy (L)</td>
</tr>
<tr>
<td>04.01 (cont'd)</td>
<td>B. Other, of a fat content, by weight:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>I. Exceeding 6 % but not exceeding 21 %</td>
<td>16 (L)</td>
</tr>
<tr>
<td></td>
<td>II. Exceeding 21 % but not exceeding 45 %</td>
<td>16 (L)</td>
</tr>
<tr>
<td></td>
<td>III. Exceeding 45 %</td>
<td>16 (L)</td>
</tr>
<tr>
<td>04.02</td>
<td>Milk and cream, preserved, concentrated or sweetened:</td>
<td></td>
</tr>
<tr>
<td>A. Not containing added sugar:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Whey</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>II. Milk and cream, in powder or granules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Not exceeding 1.5 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>2. Exceeding 1.5 % but not exceeding 27 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>3. Exceeding 27 % but not exceeding 29 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>4. Exceeding 29 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>b) Other, of a fat content, by weight:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Not exceeding 1.5 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>2. Exceeding 1.5 % but not exceeding 27 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>3. Exceeding 27 % but not exceeding 29 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>4. Exceeding 29 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>III. Milk and cream, other than in powder or granules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Of a fat content, by weight, not exceeding 8.9 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>2. Other</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>b) Other, of a fat content by weight:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Not exceeding 45 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>2. Exceeding 45 %</td>
<td></td>
<td>18 (L)</td>
</tr>
<tr>
<td>B. Containing added sugar:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Milk and cream, in powder or granules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Special milk for infants, in hermetically sealed containers of a net capacity of 500 g or less and of a fat content, by weight, exceeding 10 % but not exceeding 27 % (a)</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>b) Other:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>aa) Not exceeding 1.5 %</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>bb) Exceeding 1.5 % but not exceeding 27 %</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>cc) Exceeding 27 %</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>2. Other, of a fat content, by weight:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>aa) Not exceeding 1.5 %</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>bb) Exceeding 1.5 % but not exceeding 27 %</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>cc) Exceeding 27 %</td>
<td></td>
<td>23 (L)</td>
</tr>
</tbody>
</table>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.
<table>
<thead>
<tr>
<th>Heading number</th>
<th>Description</th>
<th>Rate of duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>04.02 (cont'd)</td>
<td>B. II. Milk and cream, other than in powder or granules:</td>
<td>23 (L)</td>
</tr>
<tr>
<td></td>
<td>a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight, not exceeding 9.5%</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>b) Other, of a fat content by weight:</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>1. Not exceeding 45%</td>
<td>23 (L)</td>
</tr>
<tr>
<td></td>
<td>2. Exceeding 45%</td>
<td>23 (L)</td>
</tr>
<tr>
<td>04.03</td>
<td>B. Other</td>
<td>24 (L)</td>
</tr>
<tr>
<td>04.04</td>
<td>Cheese and curd:</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>A. Emmental, Gruyère, St. Gervais, Appenzell, Vacherin fribourgeois and Tete de moine, not grated or powdered</td>
<td>23 (L)</td>
</tr>
<tr>
<td></td>
<td>B. Glarus herb cheese (known as Schabziger), made from skimmed milk and mixed with finely-ground herbs</td>
<td>23 (L) (c)</td>
</tr>
<tr>
<td></td>
<td>C. Blue-veined cheese, not grated or powdered</td>
<td>23 (L)</td>
</tr>
<tr>
<td></td>
<td>D. Processed cheese, not grated or powdered, of a fat content, by weight:</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>1. Not exceeding 36% and of a fat content, by weight, in the dry matter:</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>a) Not exceeding 48%</td>
<td>23 (L)</td>
</tr>
<tr>
<td></td>
<td>b) Exceeding 48%</td>
<td>23 (L)</td>
</tr>
<tr>
<td></td>
<td>II. Exceeding 36%</td>
<td>23 (L)</td>
</tr>
<tr>
<td></td>
<td>E. Other:</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>1. Not grated or powdered, of a fat content, by weight, not exceeding 40% and a water content, calculated by weight of the non-fatty matter:</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>a) Not exceeding 47%</td>
<td>23 (L)</td>
</tr>
<tr>
<td></td>
<td>b) Exceeding 47% but not exceeding 72%:</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>1. Cheddar</td>
<td>23 (L) (d) (e)</td>
</tr>
<tr>
<td></td>
<td>2. Other</td>
<td>23 (L) (e)</td>
</tr>
</tbody>
</table>

(a) See Annex.
(b) Entry under this subheading is subject to conditions to be determined by the competent authorities.
(c) The levy cannot exceed 6% of the customs value.
(d) Within the limit of an annual tariff quota of 9,000 tonnes to be granted by the competent authorities, a rate of 15 ECU per 100 kg net weight is provided for whole Cheddar cheeses of a minimum fat content of 40% by weight in the dry matter, matured for at least three months.
(e) For these purposes "whole cheese" means:
1. cheese of the conventional flat cylindrical shape of a net weight of not less than 33 kg but not more than 44 kg,
2. cheeses of the conventional flat cylindrical shape or cheeses in parallelepiped shape, of a net weight of 10 kg or more.

Furthermore, entry under this quota shall be subject to conditions to be determined by the competent authorities.
Within the limit of an annual tariff quota of 3,500 tonnes to be granted by the competent authorities, a rate of 15 ECU per 100 kg net weight is provided for Cheddar cheese of subheading 04.04 E 1 b) 1 and other cheeses of subheading 04.04 E 1 b) 2 for processing.
Furthermore, entry under this quota and verification of the end use shall be subject to conditions to be determined by the competent authorities.
<table>
<thead>
<tr>
<th>Heading number</th>
<th>Description</th>
<th>Rate of duty</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Autonomous %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>or levy (L)</td>
</tr>
<tr>
<td>04.04 (cont'd)</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>E. I. c) Exceeding 72 %:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. In immediate packings of a net capacity not exceeding 500 g</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>2. Other</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>II. Other:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Grated or powdered</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>b) Other</td>
<td></td>
<td>23 (L)</td>
</tr>
<tr>
<td>04.05</td>
<td>Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not:</td>
<td></td>
</tr>
<tr>
<td>A. Eggs in shell, fresh or preserved:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Poultry eggs:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Eggs for hatching (a):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Of turkeys or geese</td>
<td></td>
<td>12 (L)</td>
</tr>
<tr>
<td>2. Other</td>
<td></td>
<td>12 (L)</td>
</tr>
<tr>
<td>b) Other</td>
<td></td>
<td>12 (L)</td>
</tr>
<tr>
<td>II. Other eggs</td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>B. Eggs, not in shell; egg yolks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Suitable for human consumption:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Eggs, not in shell:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Dried</td>
<td></td>
<td>22 (L)</td>
</tr>
<tr>
<td>2. Other</td>
<td></td>
<td>22 (L)</td>
</tr>
<tr>
<td>b) Egg yolks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Liquid</td>
<td></td>
<td>22 (L)</td>
</tr>
<tr>
<td>2. Frozen</td>
<td></td>
<td>22 (L)</td>
</tr>
<tr>
<td>3. Dry</td>
<td></td>
<td>22 (L)</td>
</tr>
<tr>
<td>II. Other (b)</td>
<td></td>
<td>Free</td>
</tr>
<tr>
<td>04.06</td>
<td>Natural honey</td>
<td></td>
</tr>
<tr>
<td>04.07</td>
<td>Edible products of animal origin, not elsewhere specified or included</td>
<td></td>
</tr>
</tbody>
</table>

(a) Only poultry eggs which fulfill the conditions stipulated by the competent authorities are eligible for entry under this subheading.
(b) Entry under this subheading is subject to conditions to be determined by the competent authorities.
### ANNEX I(b)

**ANNEX**

**HEADINGS OR SUBHEADINGS OF WHICH ONLY PART IS COVERED BY A GATT CONCESSION OR IN WHICH DIFFERENT CONCESSIONS HAVE BEEN GRANTED**

<table>
<thead>
<tr>
<th>Heading number</th>
<th>Description</th>
<th>Rate of conventional duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>01.06</td>
<td>Other live animals:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ex C. Other:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Hares, partridges and pheasants</td>
<td>Free</td>
</tr>
<tr>
<td>03.01</td>
<td>Fish, fresh (live or dead), chilled or frozen:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. Freshwater fish:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IV. Other:</td>
<td>Free</td>
</tr>
<tr>
<td></td>
<td>— Aquarium fish</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Other</td>
<td>8</td>
</tr>
<tr>
<td>03.03</td>
<td>Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. Crustaceans:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ex l. Crawfish:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Crawfish tails</td>
<td>25</td>
</tr>
<tr>
<td>04.04</td>
<td>Cheese and curd:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ex A. Emmentaler, Gruyère, Sbrunz, Bergkäse and Appenzell, not grated or powdered:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months (a):</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Whole cheeses (b) of a free-at-frontier value per 100 kg net weight of:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Not less than 141,45 ECU, but less than 171,37 ECU (excluding Appenzell)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) (d)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Not less than 171,37 ECU (excluding Bergkäse) (c)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Pieces packed in vacuum or in inert gas:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— With rind on at least one side, of a net weight:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 165.63 ECU but less than 205.52 ECU per 100 kg net weight (excluding Appenzell) (c) (d)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— With rind on at least one side, of a net weight:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 165.63 ECU but less than 205.52 ECU per 100 kg net weight (excluding Appenzell) (c) (d)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— With rind on at least one side, of a net weight:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 165.63 ECU but less than 205.52 ECU per 100 kg net weight (excluding Appenzell) (c) (d)</td>
<td></td>
</tr>
</tbody>
</table>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) The expression "whole cheeses" shall be taken to apply to whole cheeses of the following weights:

- Emmentaler: not less than 60 kg but not more than 130 kg,
- Gruyère and Sbrunz: not less than 20 kg but not more than 45 kg,
- Bergkäs: not less than 20 kg but not more than 60 kg,
- Appenzell: not less than 6 kg but not more than 8 kg.

(c) The Community reserves the right to apply value limits lower than those specified in the rest of the annexes. With effect from 1 July 1970 the value limits shall be adapted autonomously on the basis of changes in the factors determining the formation of prices for Emmentaler in the Community. Such adjustments shall be based on an increase or reduction of 14 ECU in the minimum value for any upward or downward movement of 1 ECU per 100 kg of the common target price for milk in the Community.

(d) The Community reserves the right to reduce annexe duties autonomously from 24.18 ECU to 18.13 ECU subject to an increase of 6.25 ECU in the value limits.
<table>
<thead>
<tr>
<th>Heading number</th>
<th>Description</th>
<th>Rate of conventional duty %</th>
</tr>
</thead>
<tbody>
<tr>
<td>04.04 (cont'd)</td>
<td>ex A.</td>
<td>- Not less than 1 kg and of a free-at-frontier value of not less than 205,52 ECU per 100 kg net weight (excluding Bergkäse) (a)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Other, of a net weight of less than 450 g and of a free-at-frontier value of not less than 229,70 ECU per 100 kg net weight (other than Bergkäse) (a) (b)</td>
</tr>
<tr>
<td>ex 05.09</td>
<td>Horns, antlers, hooves, nails, claws (excluding claws of tortoise-shell) and beaks, unworked or simply prepared but not cut to shape, and waste and powder of these products; whalebone and the like, unworked or simply prepared but not cut to shape, and hair and waste of these products</td>
<td>Free</td>
</tr>
<tr>
<td>05.15</td>
<td>Animal products not elsewhere specified or included; dead animals of Chapter 1 or Chapter 3, unfit for human consumption: ex A. Fish, crustaceans and molluscs:</td>
<td>Free</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Fish roes; salted cod roe for use as bait</td>
</tr>
<tr>
<td>09.10</td>
<td>Thyme, saffron and bay leaves; other spices: D. Ginger:</td>
<td>Free</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- In the form of whole roots, pieces or slices:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- For the industrial manufacture of essential oils or resinoids (c)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Other</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Other</td>
</tr>
<tr>
<td></td>
<td>E. Turmeric (curcuma); fenugreek seed:</td>
<td>Free</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Fenugreek seed, ground</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Other</td>
</tr>
<tr>
<td>11.04</td>
<td>Flour of the dried leguminous vegetables falling within heading No 07.05 or of the fruits falling within any heading in Chapter 8; flour and meal of sago and of roots and tubers falling within heading No 07.06: ex A. Flour of the dried leguminous vegetables falling within heading No 07.05:</td>
<td>12</td>
</tr>
<tr>
<td>ex 12.01</td>
<td>Oil seeds and oleaginous fruit, whole or broken, other than castor seeds</td>
<td>Free</td>
</tr>
</tbody>
</table>

(a) The Community reserves the right to apply value limits lower than those specified in the text of the concessions.
With effect from 1 July 1970 the value limits shall be adapted automatically on the basis of changes in the factors determining the formation of prices for Emmenkaaler in the Community.
Such adjustments shall be based on an increase or reduction of 14 ECU in the minimum value for any upward or downward movement of 1 ECU per 100 kg of the common target price for wheat in the Community.
(b) Vacuum-packed pieces of a net weight of not more than 450 g qualify for the concession only if their packings bear at least the following particulars:
- description of the cheese,
- lot number,
- packer responsible,
- country of manufacture.
(c) Entry under this subheading is subject to conditions to be determined by the competent authorities.
ANNEX I(c)

COUNCIL REGULATION (EEC) No 2915/79
of 18 December 1979

determining the groups of products and the special provisions for calculating
levies on milk and milk products and amending Regulation (EEC) No 950/68 on
the Common Customs Tariff

(OJ No. L 329 of 24 December 1979, p. 1)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 as last amended by Regulation (EEC) No 1761/78 and in particular Article 14(6) thereof,

Having regard to the proposal from the Commission,

Whereas the provisions of Council Regulation (EEC) No 823/68 of 28 June 1968 determining the groups of products and the special provisions for calculating levies on milk and milk products as last amended by Regulation (EEC) No 1000/78 have been altered several times; whereas it seems desirable for the sake of clarity to recast this Regulation;

Whereas the products referred to in Article 1(a) (2) and (b) to (g) of Regulation (EEC) No 804/68 should be divided into groups, each group being composed of products with sufficiently comparable characteristics for trade purposes; whereas the most representative product for each group should be described as the pilot product;

Whereas, however, special provisions must be made for calculating the levy on assimilated products where the levy calculated for the pilot product does not correspond to the difference between the prices of those products in world trade and on the Community market;

Whereas, for products in small packages, the levy must be calculated on the basis not only of the price difference for the product itself but also of a fixed component intended to give a certain amount of protection to the Community processing industry;

Whereas, for products containing sugar, the levy must include a fixed component representing the value of the sugar used in their manufacture; whereas in such cases the milk component of the levy on those products must be derived by means of a coefficient expressing the weight ratio between the milk ingredients and the product itself;

Whereas, for powders with a fat content of over 1.5%, the levy, or in the case of compound products or products in small packages the milk component of the levy, should be calculated on the basis of the fat content of the pilot product unless the fat content of those various products is greater than that of the pilot product; whereas, in the latter case, the levy or the milk component of the levy must be calculated on the basis of a standard fat content corresponding to that of the products on the market;

Whereas the most usual ingredients of compound feedstuffs and those having most effect on price formation are cereal products and milk products; whereas, therefore, provision should be made for calculating the levy on these foodstuffs on the basis of their starch and milk product content; whereas, however, a starch content of not more than 10% need not be taken into account; whereas, with this method of calculation, feedstuffs must be grouped under tariff headings according to the contents referred to above and a standard starch and milk product content must be taken into account for each tariff heading; whereas the lowest possible starch content and the highest possible milk product content should be used for this purpose; whereas, in fact, milk ingredients have a much greater effect on price formation than cereal ingredients; whereas the cereal component of the levy may be derived, on the basis of the starch content assumed, from the average levy on maize, that being the product most commonly used in the manufacture
compound feedingstuffs; whereas the most usual
ilk ingredient of compound feedingstuffs is skim-
ed-milk powder; whereas, therefore, the levy on that
oduct should be used to calculate the milk compo-
ent of the levy; whereas the levy on compound
edingstuffs must include a fixed component for the
tection of the processing industry; whereas the
ponent is likely to offset the disparity between
munity prices and world market prices for
oducts other than cereals and milk products which
ay be used in compound feedingstuffs;

Whereas, for processed cheeses other than those
ived from Emmentaler, Gruyère or Appenzell and
the same reasons as led to the adoption of the
resent system, a system for deriving the levy should
 e adopted which is identical to that used for those
oducts hitherto; whereas a central feature of this
ystem is the use as calculation factors of the levies on
utter and on the pilot product of Group 11; whereas
 change in the manufacturing process of these
oducts and a growth in demand for a product with a
igher fat content have shown that the percentages
sed hitherto for such derivation do not in all cases
llow the objectives of the levy system to be attained;
whereas, therefore, they must be fixed at more suitable
vels;

Whereas the quantity of primary milk products
quired for the manufacture of fresh cheeses and
ords is less than that required for the manufacture of
he pilot product of the group; whereas, therefore, a
vy derived from the levy on the pilot product should
e applied to these primary products, that levy being
usted by a coefficient expressing the overall ratio of
he abovementioned quantities;

Whereas for certain kinds of fresh, condensed or
entrated milk with a high fat content the levy
ay be calculated on the basis of the levy on butter,
using standard coefficients representing the fat
ontent ratio; whereas the same applies to butter
ther than that falling within the same tariff
uhead as the pilot product;

Whereas, because of their composition and in parti-
cular their very high fat content, certain products
alling within subheading 04.04 E II are likely, after
portation into the Community, to be used as a
asic product in place of butter for the manufacture of
ther goods; whereas, consequently, the levy must be
xed at a level which will ensure that outlets for
munity produced butter used in the manufacture of
ese other goods are not diminished by the import-
ation of the products in question;

Whereas the import levy on special milk for infants,
Tilsit cheese and processed cheeses derived from
mentaler, Gruyère or Appenzell as well as Cheddar
other cheeses intended for processing must be
culated consistently with relevant Community
ments;

Whereas the tariff nomenclature resulting from appli-
ation of this Regulation is adopted in the Common
ums Tariff.

HAS ADOPTED THIS REGULATION:

Article 1

1. The groups of products referred to in Article 14
(3) of Regulation (EEC) No 804/68 and the pilot
oduct for each group shall be as indicated in
nex I.

2. "..." (a)

Article 2

The levy on 100 kilograms of a product in Group 2
shall be equal:

1. if it falls within subheading 04.02 A II a) 1, to the
sum of the following components:

   (a) a component equal to the levy on the pilot
   product; and

   (b) a component equal to 7-25 ECU;

2. if it falls within subheading 04.02 B I b) 1 aa), to
the sum of the following components:

   (a) a component calculated in accordance with
point 3 (a);

   (b) a component equal to 7-25 ECU; and

   (c) a component to take account of the quantity of
added sugar;

3. if it falls within subheading 04.02 B I b) 2 aa), to
the sum of the following components:

   (a) a component equal to the levy on the pilot
   product, multiplied by a coefficient expressing
   the weight ratio between the milk powder
   content of the product and the product itself; and

   (b) a component to take account of the quantity of
added sugar;

(a) deleted by R.(EEC) 1463/82
4. if it falls within subheading ex 23.07 B, to the sum of the following components:

(a) a component applicable only if the starch content of the product in question exceeds 10%, such component being equal to the average of the levies for 100 kilograms of maize, multiplied by a coefficient of:
   — 0.16 for products falling within subheading 23.07 B I b) 3,
   — 0.50 for products falling within subheading 23.07 B I c) 3.

The average of the levies on 100 kilograms of maize shall be equal to the average of the levies calculated for the first 25 days of the month preceding the month of importation, adjusted where necessary by reference to the threshold price ruling in the month of importation;

(b) a component equal to the levy on the pilot product of Group 2 multiplied by a coefficient of:
   — 0.75 for products falling within subheading 23.07 B I a) 3,
   — 0.98 for products falling within subheadings 23.07 B I a) 4 and 23.07 B II,
   — 0.90 for products falling within subheading 23.07 B I b) 3,
   — 0.70 for products falling within subheading 23.07 B I c) 3;

(c) a component equal to 2.42 ECU.

Article 3

The levy on 100 kilograms of a product in Group 3 shall be equal:

1. if it falls within subheading 04.02 A II a) 2, to the sum of the following components:
   (a) a component equal to the levy on the pilot product; and
   (b) a component equal to 7.25 ECU;

2. if it falls within subheading 04.02 A II a) 3, to the sum of the following components:
   (a) a component equal to the levy calculated in accordance with point 4; and
   (b) a component equal to 7.25 ECU;

3. if it falls within subheading 04.02 A II a) 4, to the sum of the following components:
   (a) a component equal to the levy calculated in accordance with point 5; and
   (b) a component equal to 7.25 ECU;

4. if it falls within subheading 04.02 A II b) 3, to the sum of the following components:
   (a) a component equal to the levy on the pilot product; and
   (b) a component equal to 2.42 ECU;

5. if it falls within subheading 04.02 A II b) 4, to the sum of the following components:

(a) a component equal to the levy on the pilot product; and

(b) a component fixed on the basis of the amount by which the value of a product falling within that subheading and with a fat content by weight of 45%, or with a higher fat content if it is found that products with a higher content are on the market, exceeds the value of the pilot product;

6. if it falls within subheading 04.02 B I a), to 36.27 ECU;

7. if it falls within subheading 04.02 B I b) 1 bb), to the sum of the following components:

(a) a component calculated in accordance with point 9 (a);

(b) a component equal to 7.25 ECU; and

(c) a component to take account of the quantity of added sugar;

8. if it falls within subheading 04.02 B I b) 1 cc), to the sum of the following components:

(a) a component calculated in accordance with point 10 (a);

(b) a component equal to 7.25 ECU; and

(c) a component to take account of the quantity of added sugar;

9. if it falls within subheading 04.02 B I b) 2 bb), to the sum of the following components:

(a) a component equal to the levy on the pilot product, multiplied by a coefficient expressing the weight ratio between the milk powder contained in the product and the product itself; and

(b) a component to take account of the quantity of added sugar;

10. if it falls within subheading 04.02 B I b) 2 cc), to the sum of the following components:

(a) a component equal to the levy calculated in accordance with point 5, multiplied by a coefficient expressing the weight ratio between the milk powder contained in the product and the product itself; and

(b) a component to take account of the quantity of added sugar.

Article 4

The levy on 100 kilograms of a product in Group 4 and falling within subheading 04.02 A III a) 2 shall be equal to the levy on the pilot product multiplied by a coefficient of 1.35.
Article 5

The levy on 100 kilograms of a product in Group 6 shall be equal:

1. if it falls within subheading 04.01 A I a), to the sum of the following components:
   (a) a component calculated in accordance with point 5 (a);
   (b) a component calculated in accordance with point 5 (b);
   (c) a component equal to 6-04 ECU;

2. if it falls within subheading 04.01 A I b), to the sum of the following components:
   (a) a component calculated in accordance with point 5 (a);
   (b) a component calculated in accordance with point 5 (b);
   (c) a component equal to 3-63 ECU;

3. if it falls within subheading 04.01 A II a) 1, to the sum of the following components:
   (a) a component calculated in accordance with point 5 (a);
   (b) a component calculated in accordance with point 5 (b);
   (c) a component equal to 3-63 ECU;

4. if it falls within subheading 04.01 A II a) 2, to the sum of the following components:
   (a) a component calculated in accordance with point 6 (a);
   (b) a component calculated in accordance with point 6 (b);
   (c) a component equal to 3-63 ECU;

5. if it falls within subheading 04.01 A II b) 1, to the sum of the following components:
   (a) a component equal to the levy on the pilot product of Group 2, multiplied by a coefficient of 0-0862;
   (b) a component equal to the levy on the pilot product of Group 6, multiplied by a coefficient of 0-0476;
   (c) a component equal to 2-42 ECU;

6. if it falls within subheading 04.01 A II b) 2, to the sum of the following components:
   (a) a component equal to the levy on the pilot product of Group 2, multiplied by a coefficient of 0-0862;
   (b) a component equal to the levy on the pilot product of Group 6, multiplied by a coefficient of 0-0714;
   (c) a component equal to 2-42 ECU.

However, where the price on importation into the Community of a product falling within subheading 04.01 A is recorded as not being in a normal relationship to the prices usually prevailing in respect of other milk products, a levy may be fixed equal to the sum of the following components:

(a) a component equal to the amount resulting from the provisions laid down in the preceding subparagraph;
(b) an additional component fixed at a level allowing the normal relationship between the price of the product in question and the prices of other milk products on importation into the Community to be re-established.

Article 6

The levy on 100 kilograms of a product in Group 6 shall be equal:

1. if it falls within subheading 04.01 B I, to the levy on the pilot product multiplied by a coefficient of 0-26;

2. if it falls within subheading 04.01 B II or 04.02 III b) 1, to the levy on the pilot product multiplied by a coefficient of 0-55;

3. if it falls within subheading 04.01 B III or 04.02 III b) 2, to the levy on the pilot product multiplied by a coefficient of 0-85;

4. if it falls within subheading 04.02 B II b) 1, to the sum of the following components:
   (a) a component equal to the levy calculated in accordance with point 2, multiplied by a coefficient expressing the weight ratio between the milk ingredients of the product and the product itself; and
   (b) a component to take account of the quantity of added sugar;

5. if it falls within subheading 04.02 B II b) 2, to the sum of the following components:
   (a) a component equal to the levy calculated in accordance with point 3, multiplied by a coefficient expressing the weight ratio between the milk ingredients of the product and the product itself; and
   (b) a component to take account of the quantity of added sugar;

6. if it falls within subheading 04.01 B, to the levy on the pilot product multiplied by a coefficient of 1-22.
**Article 7**

1. The levy on 100 kilograms of a product belonging to Group 7 shall be:
   - 18.13 ECU in respect of the products appearing under (a) and (c) in Annex II,
   - 9.07 ECU in respect of the products appearing under (b) in Annex II,

if it is established that the products correspond to the description and, where provision is made therefor, that the applicable free-at-frontier value is complied with.

2. The free-at-frontier value limits for the products described under (a) and (b) in Annex II shall be increased or reduced by 14 ECU for any upward or downward movement of 1 ECU per 100 kilograms of the common target price for milk.

**Article 8**

The levy on a product belonging to Group 9 and falling within subheading 04.04 B shall be limited to 6% of its customs value. *(b)*

**Article 9** *(x)*

1. The levy on 100 kilograms of products in Group 10 in Annex II shall be:
   - under (d) shall be 12.09 ECU,
   - under (e) and (f) shall be 15 ECU,

if it is established that the products correspond to the description given in that Annex. *(a)*

2. The free-at-frontier value limits for the products referred to in paragraph 1 shall be increased or decreased by an amount equal to any increase or decrease in the threshold price of Cheddar. *(a)*

**Article 10**

1. Without prejudice to paragraph 2, the levy on 100 kilograms of a product belonging to Group 11 shall be equal:

   A. if it falls within subheading 04.04 D I a), to the sum of the following components:
      - (a) a component equal to 80% of the levy on the pilot product of Group 11;
      - (b) a component equal to 5% of the levy on the pilot product of Group 6; and
      - (c) a component equal to 12.09 ECU;

   B. if it falls within subheading 04.04 D I b), to the sum of the following components:
      - (a) a component equal to 60% of the levy on the pilot product of Group 11;
      - (b) a component equal to 24% of the levy on the pilot product of Group 6; and
      - (c) a component equal to 12.09 ECU;

   C. if it falls within subheading 04.04 D II, to the sum of the following components:
      - (a) a component equal to the levy calculated in accordance with point B; and
      - (b) a component equal to 96.72 ECU;

   D. if it falls within subheading 04.04 E I c) 1, to 75% of the levy on the pilot product;

   E. if it falls within subheadings 04.04 E I c) 2 or 04.04 E II b), to the sum of the following components:
      - (a) a component equal to the levy on the pilot product of Group 11; and
      - (b) a component equal to 96.72 ECU.

2. However, the levy on 100 kilograms of the products described under (g) and (h) in Annex II shall be 36.27 ECU if it is established that the products correspond to the description and, where provision is made therefor, that the applicable free-at-frontier value is complied with. *(b)*

---

(a) R. (EEC) 1463/82
/b R. (EEC) 3268/817
(c) R. (EEC) 3340/84
/R. (EEC) 3268/817
R. (EEC) 1463/82
(x) Derogation /R. (EEC) 2692/837
Article 11

"1. Without prejudice to paragraphs 2, 3, 4 and 5, (xx) the levy on 100 kilograms of the products belonging to Group II shall be equal to the threshold price, less:

- 249,04 ECU per 100 kilograms in respect of the product described under (i) in Annex II,
- 249,04 ECU per 100 kilograms plus a component equal to 24,18 ECU in respect of the product described under (k) in Annex II,
- 261,13 ECU per 100 kilograms in respect of the products described under (l) and (m) in Annex II,

provided the import price is not less than the amount deducted from the threshold price. The import price for the product described under (m) in Annex II must not, however, be less than 243,00 ECU per 100 kilograms.

Moreover, it must be established that the products correspond to the description in Annex II. (a)

"2. The levy on 100 kilograms of the products listed under (n) and (r) in Annex II shall be 55 ECU if it is established that the products correspond to the description therein. (b) (x)

"3. The levy on 100 kilograms of the products described under (o) and (p) in Annex II shall be 50 ECU if it is established that the products correspond to the description therein.

4. The levy on 100 kilograms of the products described under (q) in Annex II shall be 28,13 ECU if it is established that the products correspond to the description therein. (a)

"5. "...(a) the levy on 100 kilograms of a product appearing under (s) in Annex II shall be 55,0 ECU, provided it is established that the products correspond to the description appearing therein." (d)"
Article 14

1. The milk product content of products falling within subheading ex 23.07 B, when imported from third countries, shall be determined by applying a coefficient of 2 to the lactose content per 100 kilograms of the product in question.

2. The methods for defining the starch content of products falling within subheading ex 23.07 B shall be determined according to the procedure laid down in Article 26 of Regulation (EEC) No 2727/75

Article 15

1. Regulation (EEC) No 823/68 is hereby repealed.

2. In all Community instruments where there is reference to Regulation (EEC) No 823/68 or to certain Articles thereof, that reference shall be considered to refer to this Regulation or to the corresponding Articles thereof.

Article 16

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 is hereby amended in accordance with Annex III to this Regulation.

Article 17

This Regulation shall enter into force on 1 January 1980.

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

Done at Brussels, 18 December 1979.

For the Council
The President
B. LENIHAN
"ANNEX 1" (a)

<table>
<thead>
<tr>
<th>Number of group</th>
<th>Groups of products according to the Common Customs Tariff</th>
<th>Pilot product for each group of products</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>04.02 A I</td>
<td>Powdered whey, obtained by the spray process, with a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td>2</td>
<td>04.02 A II a) 1</td>
<td>Milk powder, obtained by the spray process, with a fat content of less than 1-5 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 A II b) 1</td>
<td>Milk powder, obtained by the spray process, with a fat content of less than 1-5 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 B I b) 1 aa)</td>
<td>Milk powder, obtained by the spray process, with a fat content of less than 1-5 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 B I b) 2 aa)</td>
<td>Milk powder, obtained by the spray process, with a fat content of less than 1-5 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>ex 23.07 B</td>
<td>Milk powder, obtained by the spray process, with a fat content of less than 1-5 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td>3</td>
<td>04.02 A II a) 2</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 A II a) 3</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 A II a) 4</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 A II b) 2</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 A II b) 3</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 A II b) 4</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 B I a)</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 B I b) 1 bb)</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 B I b) 1 cc)</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 B I b) 2 bb)</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 B I b) 2 cc)</td>
<td>Concentrated milk, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td>4</td>
<td>04.02 A III a)</td>
<td>Concentrated milk, with a fat content of 7-5 % by weight and a dry matter content of 25 % by weight, in cases or cartons of 96 tins of a net content of 170 g.</td>
</tr>
<tr>
<td>5</td>
<td>04.02 B II a)</td>
<td>Concentrated milk with added sugar, with a fat content of 9 % by weight and a lactic dry matter content of 31 % by weight, in cases or cartons of 48 tins of a net content of 397 g.</td>
</tr>
<tr>
<td>6</td>
<td>04.01</td>
<td>Butter with a fat content of 82 % by weight, in packages normally used in the trade of a net content of 25 kg or more.</td>
</tr>
<tr>
<td></td>
<td>04.02 A III b)</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td></td>
<td>04.02 B II b)</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td></td>
<td>04.03</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td>7</td>
<td>04.04 A</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td>8</td>
<td>04.04 C</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td>9</td>
<td>04.04 E I a)</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td></td>
<td>04.04 E B</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td></td>
<td>04.04 E II a)</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td>10</td>
<td>04.04 E I b) 1</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td></td>
<td>04.04 E I b) 2</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td></td>
<td>04.04 D</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td></td>
<td>04.04 E I b) 2</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td></td>
<td>04.04 E I c)</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td></td>
<td>04.04 E II b)</td>
<td>Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.</td>
</tr>
<tr>
<td>12</td>
<td>17.02 A II</td>
<td>Lactose containing, in the dry state, 98-5 % by weight of the pure product, in packages normally used in the trade.</td>
</tr>
<tr>
<td></td>
<td>21.07 F I</td>
<td>Lactose containing, in the dry state, 98-5 % by weight of the pure product, in packages normally used in the trade.</td>
</tr>
</tbody>
</table>

(a) R.(EEC) 1463/82
"ANNEX II" (a)

<table>
<thead>
<tr>
<th>CCT heading No.</th>
<th>Description</th>
</tr>
</thead>
</table>
| (a) "ex" (b) 04.04 A | Emmentaler, Gruyère, Sbrinz, Bergkäse, Appenzell, Vacherin fribourgeois and tête de moine, not grated or powdered, of a minimum fat content of 45% by weight in the dry matter, matured for at least two months in the case of Vacherin fribourgeois and at least three months in the other cases:  
  — whole cheeses with no: within an annual tariff quota of:  
    (a) 5 000 tonnes, originating in Austria. (x)  
    (b) 6,250 tonnes, including the Finlandia quota referred to in (g), originating in Finland (b)  
  — pieces packed in vacuum or in inert gas, with no: on at least one side, of a net weight of not less than 1 kg but less than 5 kg within an annual tariff quota of:  
    (a) 3 000 tonnes, originating in Austria. (x)  
    (b) 1,600 tonnes, (b) originating in Finland (xx) |

(b) "ex" (b) 04.04 A

(c) "ex" (b) 04.04 A

R.(EEC) 1463/82  
R.(EEC) 1361/80  
R.(EEC) 853/81  
R.(EEC) 1191/82  
R.(EEC) 3690/84  
Derogations: R.(EEC) 3148/83  
R.(EEC) 1736/84  
Derogation years 1984 and 1985: R.(EEC) 1473/84  
Derogation year 1984: R.(EEC) 1736/84
<table>
<thead>
<tr>
<th>GCT heading No</th>
<th>Description</th>
</tr>
</thead>
</table>
| (d) "ex" (a) 04.04 E I b) 1 | Cheddar made from unpasteurized milk, of a minimum fat content of 50 % by weight in the dry matter, matured for at least nine months, of a free-at-frontier value per 100 kilograms net weight of not less than:  
- 277-96 ECU in respect of whole cheeses,  
- 296-10 ECU in respect of cheeses of a net weight of not less than 500 grams,  
- 308-19 ECU in respect of cheeses of a net weight of less than 500 grams within an annual tariff quota of "2,750 tonnes". (a) |
| (e) ex 04.04 E I b) 1 | Whole Cheddar cheeses of a minimum fat content of 50 % by weight in the dry matter, matured for at least three months within an annual tariff quota of 9,000 tonnes |
| (f) ex 04.04 E I b) 1  
ex 04.04 E I b) 2 | — Cheddar.  
— Other cheeses falling within subheading 04.04 E I b) 2 for processing, within an annual tariff quota of 3,500 tonnes |
| (g) "ex" (a) 04.04 D | Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale, of a free-at-frontier value of not less than 243 ECU per 100 kilograms net weight and of a fat content, by weight, in the dry matter, not exceeding 56 % |
| (h) "ex" (a) 04.04 D | Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale and of a fat content, by weight, in the dry matter, not exceeding 56 % within an annual tariff quota of:  
(a) 3 700 tonnes, originating in Austria. (x)  
(b) 550 tonnes, originating in Finland (xx) |
| (i) "ex" (a) 04.04 E I b) 2 | Tilsit and Butterkäse, of a fat content, by weight, in the dry matter, not exceeding 48 % |
| (k) "ex" (a) 04.04 E I b) 2 | Tilsit and Butterkäse, of a fat content, by weight, in the dry matter, exceeding 48 % |

(a) R. (EEC) 3042/82  
(b) R. (EEC) 3340/84  
(c) R. (EEC) 3690/84  
(d) R. (EEC) 2692/83  
(e) Derogation R. (EEC) 1736/84  
(x) Derogation for years 1984 and 1985 (Cf. R. (EEC) 1473/84)  
(xx) Derogation for 1984 (Cf. R. (EEC) 1736/84)
<table>
<thead>
<tr>
<th>CCT heading No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) &quot;ex&quot; (a) 04.04 E I b) 2</td>
<td>Kashkaval</td>
</tr>
<tr>
<td>(m) &quot;ex&quot; (a) 04.04 E I b) 2</td>
<td>Cheese of sheep’s milk or buffalo milk, in containers containing brine, or in sheep or goatskin bottles</td>
</tr>
<tr>
<td>(n) &quot;ex&quot; (a) 04.04 E I b) 2</td>
<td>Tilsit, not pressed, matured for at least one month, and Rustenkees, within an annual tariff quota of 1,500 tonnes, originating in Austria (xx)</td>
</tr>
<tr>
<td>(o) &quot;ex&quot; (a) 04.04 C &quot;ex&quot; (a) 04.04 E I b) 2</td>
<td>— Blue-veined cheese, not grated or powdered, — Edam of a fat content, by weight, in the dry matter, exceeding 40 % but not exceeding 48 %, in whole cheeses of a net weight not exceeding 350 g (known as ‘Geheimrakase’) within an annual tariff quota of 800 tonnes, originating in Austria (xx)</td>
</tr>
<tr>
<td>(p) &quot;ex&quot; (a) 04.04 E I b) 2</td>
<td>Cheeses known as ‘Feta’ and ‘Kefaloyri’, made of cow’s milk, of a fat content, by weight, in the dry matter, not exceeding 48 %, within an annual tariff quota of 150 tonnes, originating in Austria (xx)</td>
</tr>
<tr>
<td>&quot; (q) ex 04.04 E I b) 2</td>
<td>Finlandia of a minimum fat content of 45% by weight, in the dry matter, matured for at least 100 days, in rectangular blocks of a net weight of not less than 30 kilograms, originating in Finland, within an annual tariff quota of 2,900 tonnes. Any quantities of the product which are not imported may be replaced by corresponding quantities of cheese specified in (b) of the first indent of (c).&quot; (a) (xxx)</td>
</tr>
<tr>
<td>&quot; (r) ex 04.04 E I b) 2</td>
<td>Whole Jarlsberg cheeses with rind, of a minimum fat content of 45% by weight, in the dry matter, and of a dry matter content by weight of not less than 58%, matured for at least three months, originating in Norway, within an annual tariff quota of: - 1,500 tonnes for 1983 - 1,600 tonnes for 1984 - 1,700 tonnes for 1985&quot; (a)</td>
</tr>
<tr>
<td>&quot; (s) ex 04.04 E I b) 2</td>
<td>Tilsit, matured for at least one month, originating in Finland, within the limit of an annual tariff quota of 100 tonnes &quot;...&quot;. (b)</td>
</tr>
</tbody>
</table>

ANNEX III

"..." (x)

(a) R.(EEC) 3042/82  
(b) R.(EEC) 1736/84  
(xx) Derogation for the years 1984 and 1985 (cf. R.(EEC) 1473/84)  
(xxx) Derogation for the year 1984 (cf. R.(EEC) 1736/84)
COUNCIL REGULATION (EEC) No 746/86
of 10 March 1986

amending Regulations (EEC) No 2915/79 and (EEC) No 1473/84 as regards the
application of annual tariff quotas for certain cheeses from Austria, Finland and
Norway

THE COUNCIL OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic 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 the Act of
Accession of Spain and Portugal, and in particular Article 14 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Annex II to Council Regulation (EEC) No 2915/79 of 18 December 1979 deter-
mining the groups of products and the special provisions for calculating duties on milk
and milk products and amending Regulation (EEC) No 950/68 on the Common Customs
Tariff (2), as last amended by Regulation (EEC) No 1300/85 (3), provides, under c, h, i, o, p,
s, s, u, n and si, annual tariff quotas for Austria, Finland and Norway; whereas, in order to
continue trade in cheese, Austria and the Community have agreed to extend for one year
the temporary joint discipline arrangement which expired on 31 December 1985; whereas
Finland and the Community have agreed to conclude a new joint discipline arrangement
on trade in cheese for an unlimited period beginning on 1 January 1986; whereas
Norway and the Community have also agreed to conclude a new arrangement on trade in
cheese for an unlimited period, to apply from 1 January 1986;

Whereas, to enable the Community to comply with these undertakings, the provisions
relating to the annual tariff quotas allocated to Austria for the cheeses in question, as
provided for in Council Regulation (EEC) No 1473/84 of 24 May 1984 derogating from
Regulation (EEC) No 2915/79 as regards the application of annual tariff quotas for certain
cheeses from Austria (4), should therefore be extended and Regulation (EEC) No 2915/79
should be brought into line with the new arrangements.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2915/79 is hereby amended as follows:

1. Article 1 (1) (5) shall be replaced by the following:

The levy on 100 kilograms of products appearing under si in Annex II shall be ECU
provided it is established that the products correspond to the description appearing therein.

(3) OJ No L 137, 27.5.1985, p. 7.
(4) OJ No L 143, 30.5.1984, p. 3.
2. In Annex II, c), h), q), r) and s) shall be replaced by the following:

<table>
<thead>
<tr>
<th>Ex) 04.04 A</th>
<th>Emmental, Gruyère, Sbrin and Bergkäse, not grated or powered, of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Whole cheeses with rind, within the limit of an annual tariff quota of:</td>
</tr>
<tr>
<td></td>
<td>a) 5 000 tonnes, originating in Austria,</td>
</tr>
<tr>
<td></td>
<td>b) 6 850 tonnes, including the quota of Finlandia referred to in q), originating in Finland;</td>
</tr>
<tr>
<td></td>
<td>Pieces packed in vacuum or inert gas, with rind on at least one side, of a net weight of not less than 1 kg but less than 5 kg, within the limit of an annual tariff quota of:</td>
</tr>
<tr>
<td></td>
<td>a) 3 000 tonnes, originating in Austria,</td>
</tr>
<tr>
<td></td>
<td>b) 1 700 tonnes, originating in Finland.</td>
</tr>
<tr>
<td>The quantities provided for these categories of cheese in the case of Finland are interchangeable within the limit of 25 % of the stated quantities.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ex) 04.04 D</th>
<th>Processed cheese not grated or powdered, in the blending of which only Emmental, Gruyère and Appenzell have been used and which may contain as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale and of a fat content, by weight, in the dry matter, not exceeding 56 %, within the limit of an annual tariff quota of:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>a) 3 700 tonnes, originating in Austria.</td>
</tr>
<tr>
<td></td>
<td>b) 700 tonnes, originating in Finland and including the Tilsit, Turunmaa and Lappi cheeses referred to under s')</td>
</tr>
</tbody>
</table>

| Ex) 04.04 E b) 2 | Finlandia, of a minimum fat content of 45 % by weight in the dry matter, matured for at least 100 days in rectangular blocks of a net weight not less than 30 kg, originating in Finland, within the limit of an annual tariff quota of 3 000 tonnes. Quantities of this product which are not imported may be replaced by corresponding quantities of cheeses appearing under e) 1 b') |

<table>
<thead>
<tr>
<th>Ex) 04.04 E b) 2</th>
<th>Jarlsberg, of a minimum fat content of 45 % by weight in the dry matter, and of a dry matter content by weight of not less than 56 %, matured for at least three months:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Whole cheeses with rind, of between 8 kg and 12 kg</td>
</tr>
<tr>
<td></td>
<td>Rectangular blocks of a net weight not exceeding 7 kg (the packing must be labelled in such a way as to enable identification of the cheese by the consumer)</td>
</tr>
<tr>
<td></td>
<td>Pieces packed in vacuum or in inert gas, of a net weight of not less than 150 g but not exceeding 1 kg (the packing must be labelled in such a way as to enable identification of the cheese by the consumer)</td>
</tr>
<tr>
<td></td>
<td>Ridders, of a minimum fat content of 60 % by weight in the dry matter, matured for at least four weeks:</td>
</tr>
<tr>
<td></td>
<td>Whole cheeses with rind, of between 1 kg and 2 kg</td>
</tr>
<tr>
<td></td>
<td>Pieces packed in vacuum or in inert gas, with rind on at least one side, of a net weight of not less than 150 g, (the packing must be labelled in such a way as to enable identification of the cheese by the consumer)</td>
</tr>
<tr>
<td></td>
<td>originating in Norway, within the limit of an annual tariff quota of:</td>
</tr>
<tr>
<td></td>
<td>— 1 700 tonnes for 1986</td>
</tr>
<tr>
<td></td>
<td>— 1 800 tonnes for 1987</td>
</tr>
</tbody>
</table>
Article 2

In Article 1 of Regulation (EEC) No 1473/84, the words 'for the years 1984 and 1985' are hereby replaced by 'for 1984, 1985 and 1986'.

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 from 1 January 1986.

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

Done at Brussels, 10 March 1986.

            For the Council
            The President
            H. van den BRIEKEN
ANNEX I(d)

COMMISSION REGULATION (EEC) No 1767/82
of 1 July 1982
laying down detailed rules for applying specific import levies on certain milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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, as last amended by Regulation (EEC) No 1183/82, and in particular Article 14 (7) thereof,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, as last amended by Regulation (EEC) No 3605/81, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 2915/79, as last amended by Regulation (EEC) No 1463/82, provides for specific levies on certain cheeses from non-member countries;

Whereas the conditions for admission to the tariff headings given for most of these cheeses are laid down in Commission Regulation (EEC) No 1054/68, as last amended by Regulation (EEC) No 584/82, and in Commission Regulation (EEC) No 2965/79, as last amended by Regulation (EEC) No 1898/81;

Whereas, as a result of the most recent amendment to Regulation (EEC) No 2915/79, admission to tariff headings is no longer the sole factor to be considered for the purposes of applying the specific levy; whereas, therefore, the Commission Regulations in this field should be amended;

Whereas, for the sake of clarity and administrative efficiency, all the provisions relating to application of the specific levy should be brought together in a single Regulation;

Whereas the detailed description of goods complicates the import procedure; whereas the import procedure could be considerably simplified if the exporting country gave an assurance that the product exported met the description of the goods in question; whereas, therefore, a product should not qualify for the specific levy unless it is accompanied by a certificate issued in a prescribed form on the responsibility of the exporting country and providing the said assurance; whereas this system of certificates is also used by non-member countries to monitor compliance with tariff quotas; whereas, consequently, no Community system need be introduced for this purpose;

Whereas Commission Regulation (EEC) No 1055/68, as amended by Regulation (EEC) No 2751/80, sets the fixed amount representing delivery costs to Community customs territory in respect of certain cheeses from Finland; whereas this fixed amount is no longer a factor to be taken into consideration in respect of import of cheese from Finland; whereas the Regulation in question should therefore be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,
S ADOPTED THIS REGULATION:

Article 1

The import levies applicable to the products listed in Annex II to Regulation (EEC) No 2915/79 shall be those listed in Annex I to this Regulation.

The products listed in Annex I shall qualify for the above-mentioned import levies only on production of an IMA 1 certificate drawn up according to the criteria in Annex II, subject to compliance with the conditions laid down in this Regulation.

Admission:
- to subheading 04.02 B I a) of the Common Customs Tariff of special milk for infants, in hermetically sealed containers of a net content not exceeding 500 grams and with a fat content, by weight, exceeding 10 % but not exceeding 27 %, and
- of Glarus herb cheese (known as Schabziger), to subheading 04.04 B of the Common Customs Tariff made from skimmed milk with finely-ground herbs added, shall be subject to production of the certificate referred to in paragraph 2 and to compliance with the conditions laid down in this Regulation.

Article 2

1. A separate certificate must be drawn up for each type and each form of presentation of the products referred to in Article 1.

2. The certificate must contain, in respect of each type and each form of presentation, the particulars set out in Annex III.

Article 3

1. A certificate shall be valid only if duly completed and authenticated by an issuing agency listed in Annex IV.

2. The certificate shall be regarded as duly authenticated when it shows the date and place of issue, is stamped by the issuing agency and bears the signature or signatures of the person or persons qualified to sign it.

3. A certificate on which the free-at-frontier price must be shown shall be regarded as valid even where the free-at-frontier value to be observed has altered during the period between the issue of the certificate and the placing of the product into free circulation in the Community, provided that:
   (a) the free-at-frontier price shown on the certificate is not less than the free-at-frontier value applicable on the date of issue; and
   (b) the certificate was issued less than a month before the change in the free-at-frontier value.

Article 4

1. An issuing agency may be listed in Annex IV only if:
   (a) it is recognized as such by the exporting country;
   (b) it undertakes to verify the particulars set out in the certificates;
   (c) it undertakes to supply the Commission and the Member States, upon request, with any information that may be required to assess the particulars set out in the certificates.

2. Annex IV shall be revised when the condition referred to in paragraph 1 (a) is no longer fulfilled or when an issuing agency does not fulfill one of the obligations it has undertaken.

Article 5

1. A certificate shall be valid only if duly completed and authenticated by an issuing agency listed in Annex IV.

2. The certificate shall be regarded as duly authenticated when it shows the date and place of issue, is stamped by the issuing agency and bears the signature or signatures of the person or persons qualified to sign it.

3. A certificate on which the free-at-frontier price must be shown shall be regarded as valid even where the free-at-frontier value to be observed has altered during the period between the issue of the certificate and the placing of the product into free circulation in the Community, provided that:
   (a) the free-at-frontier price shown on the certificate is not less than the free-at-frontier value applicable on the date of issue; and
   (b) the certificate was issued less than a month before the change in the free-at-frontier value.

Article 6

1. An issuing agency may be listed in Annex IV only if:
   (a) it is recognized as such by the exporting country;
   (b) it undertakes to verify the particulars set out in the certificates;
   (c) it undertakes to supply the Commission and the Member States, upon request, with any information that may be required to assess the particulars set out in the certificates.

2. Annex IV shall be revised when the condition referred to in paragraph 1 (a) is no longer fulfilled or when an issuing agency does not fulfill one of the obligations it has undertaken.

Article 7

Member States shall take the measures necessary to check that the system of certificates established by this Regulation is operating correctly.

Article 8

No monetary compensatory amount shall apply when the products specified in (a), (b), (d), (e), (f), (g), (i), (k), (l), (a) and (r) of Annex I are put into free circulation.

Article 9


Article 10

This Regulation shall enter into force on 5 July 1982.
This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 1 July 1982.

For the Commission
Poul DALSAGER
Member of the Commission
### ANNEX I

<table>
<thead>
<tr>
<th>CET heading No</th>
<th>Description</th>
<th>Country of origin</th>
<th>Import levies on ECU per 100 kg net weight</th>
</tr>
</thead>
</table>
| 04.04 A        | Emmentaler, Gruyère, Sbrinz, Appenzell, Vacherin frribourgeois and Tête de moine, not grated or powdered, of a minimum fat content of 45% by weight, in the dry matter, matured for at least two months in the case of Vacherin frribourgeois and at least three months in the case of the others:  
  - Whole cheeses with rind (a), of a free-at-frontier value (f) of not less than 362.88 ECU but less than 387.06 ECU per 100 kg net weight,  
  - Pieces packed in vacuum or in inert gas with rind (a) on at least one side, of a net weight of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 387.06 ECU but less than 411.24 ECU per 100 kg net weight | Switzerland | 18.13 |
| 04.04 A        | Emmentaler, Gruyère, Sbrinz, Appenzell, Vacherin frribourgeois and Tête de Moine, not grated or powdered, of a minimum fat content of 45% by weight, in the dry matter, matured for at least two months in the case of Vacherin frribourgeois and at least three months in the case of the others:  
  - Whole cheeses with rind (a), of a free-at-frontier value (f) of not less than 362.88 ECU but less than 387.06 ECU per 100 kg net weight,  
  - Pieces packed in vacuum or in inert gas with rind (a) on at least one side, of a net weight of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 387.06 ECU but less than 411.24 ECU per 100 kg net weight | Switzerland | 9.07 |
| 04.04 A        | Emmentaler, Gruyère, Sbrinz, and Bergkase, not grated or powdered, of a minimum fat content of 45% by weight, in the dry matter, matured for at least three months:  
  - Whole cheeses with rind (a), subject to an annual tariff quota of:  
    - 5 000 tonnes originating in Austria,  
    - 6 250 tonnes, including the Finlandia quota referred to in (g), originating in Finland (c)  
  - Pieces packed in vacuum or in inert gas with rind (a) on at least one side, of a net weight of not less than 1 kg but less than 5 kg, subject to an annual tariff quota of:  
    - 3 000 tonnes originating in Austria,  
    - 1 600 tonnes (c) originating in Finland | Austria, Finland | 18.13 |
| 04.04 E1 b) 1  | Cheddar, made from unpasteurized milk, of a minimum fat content of 50% by weight, in the dry matter, matured for at least nine months, of a free-at-frontier value (f) per 100 kg net weight of not less than:  
  - 293.86 ECU in the case of whole cheeses (b),  
  - 312.00 ECU in the case of cheeses of a net weight of not less than 500 g,  
  - 324.09 ECU in the case of cheeses of a net weight of less than 500 g, subject to an annual tariff quota of 2 750 tonnes. | Canada | 12.09 |

(a) R.(EEC) 1363/85  
(b) R.(EEC) 1363/85  
(c) R.(EEC) 212/85  
(d) R.(EEC) 1363/85  
(e) R.(EEC) 3336/82  
(f) R.(EEC) 39/84  
(g) R.(EEC) 1264/83  
(h) R.(EEC) 891/84  
(x) Regulation (EEC) 1363/85 amends (a), (b) and (c), as stated in Article 1 of this Regulation.
<table>
<thead>
<tr>
<th>CCT heading No</th>
<th>Description</th>
<th>Country of origin</th>
<th>Import levy in ECU per 100 kg net weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>(e) ex 04.04 E I b) 1</td>
<td>Whole cheddar cheeses (f) (g): of a minimum fat content of 50 % by weight, in the dry matter, matured for at least three months, subject to an annual tariff quota of 9,000 tonnes</td>
<td>Australia, New Zealand</td>
<td>15.00</td>
</tr>
<tr>
<td>(f) ex 04.04 E I b) 1 and 04.04 E I b) 2</td>
<td>Cheddar and Other cheeses falling within subheading 04.04 E I b) 2. Intended for processing, subject to an annual tariff quota of 3,500 tonnes</td>
<td>Australia, New Zealand</td>
<td>15.00 (a)</td>
</tr>
<tr>
<td>(g) ex 04.04 D</td>
<td>Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Giarsus herb cheese (known as Schabnager), put up for retail sale (h), of a free-at-frontier value (i) (b) of not less than 24.5 ECU per 100 kg. net weight and of a fat content not exceeding 56% by weight, in the dry matter</td>
<td>Switzerland</td>
<td>36-27</td>
</tr>
<tr>
<td>(h) ex 04.04 D</td>
<td>Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Giarsus herb cheese (known as Schabnager), put up for retail sale (h), of a fat content not exceeding 56% by weight, in the dry matter, subject to an annual tariff quota of (a) 3,700 tonnes originating in Austria. (b) 550 tonnes (c) originating in Finland</td>
<td>Austria, Finland</td>
<td>36-27</td>
</tr>
<tr>
<td>(i) ex 04.04 E I b) 2</td>
<td>Tilsit, of a fat content not exceeding 48 % by weight, in the dry matter (x)</td>
<td>Romania, Switzerland</td>
<td>77-70</td>
</tr>
<tr>
<td>(k) ex 04.04 E I b) 2</td>
<td>Tilsit, of a fat content exceeding 48 % by weight, in the dry matter (x)</td>
<td>Romania, Switzerland</td>
<td>101-88</td>
</tr>
<tr>
<td>(l) ex 04.04 E I b) 2</td>
<td>Kashkaval</td>
<td>Bulgaria, Hungary, Israel, Romania, Turkey, Yugoslavia (d)</td>
<td>65-61</td>
</tr>
<tr>
<td>(m) ex 04.04 E I b) 2</td>
<td>Cheese of sheep's milk or buffalo milk, in containers containing brine, or in sheepskin or goatskin bottles</td>
<td>Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus, Yugoslavia (d)</td>
<td>65-61</td>
</tr>
<tr>
<td>(n) ex 04.04 E I b) 2</td>
<td>Tilsit, not pressed, matured for at least one month, and Butterkäse, subject to an annual tariff quota of 1,000 tonnes, originating in Austria</td>
<td>Austria</td>
<td>55-00</td>
</tr>
<tr>
<td>(o) ex 04.04 C and 04.04 E I b) 2</td>
<td>Blue-veined cheese, not grated or powdered, and Edam with a fat content by weight, in the dry matter, of more than 40 % but less than 48 %, put up in forms of a net weight not exceeding 350 g (known as Geheimrät-käse), subject to an annual tariff quota of 800 tonnes, originating in Austria</td>
<td>Austria</td>
<td>50-00</td>
</tr>
</tbody>
</table>

(a) R.(EEC) 3371/84  
(b) R.(EEC) 1264/83  
(b) R.(EEC) 1060/84  
(c) R.(EEC) 212/85  
(d) R.(EEC) 39/84  
(x) Corrigendum OJ L349 of 9 December 1982, p. 19
<table>
<thead>
<tr>
<th>ICT heading No</th>
<th>Description</th>
<th>Country of origin</th>
<th>Import levy in ECU per 100 kg net weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>ex 04.04 E b) 2</td>
<td>Feta and Kefaloryi, made from cow's milk, of a fat content not exceeding 48% by weight, in the dry matter, subject to an annual tariff quota of 159 tonnes, originating in Austria.</td>
<td>Austria</td>
<td>50.00</td>
</tr>
<tr>
<td>ex 04.04 E b) 2</td>
<td>Finlandia, of a minimum fat content of 45% by weight, in the dry matter, matured for at least 100 days, in rectangular blocks of a net weight of not less than 30 kg, subject to an annual tariff quota of 2,900 tonnes. The amount of this product which is not imported may be replaced by a corresponding amount of the cheese referred to in the first sub-paragraph (b) of (c) above</td>
<td>Finland</td>
<td>18.13</td>
</tr>
<tr>
<td>(a)</td>
<td>Whole Jarlsberg cheeses with rind of a minimum fat content of 45% by weight, in the dry matter, and of a dry matter content by weight of not less than 30%, originating in Norway, subject to an annual tariff quota of: 1,500 tonnes for 1983, 1,600 tonnes for 1984, 1,700 tonnes for 1985</td>
<td>Norway</td>
<td>55.00</td>
</tr>
<tr>
<td>(a)(x)</td>
<td>Tilsit, matured for at least one month, originating in Finland, subject to an annual tariff quota of 100 tonnes (a)</td>
<td>Finland</td>
<td>55.00</td>
</tr>
</tbody>
</table>

(a) "Whoa cheeses, with rind" means whole cheeses of the following net weights:

- Emmenrader: not less than 60 kg but not more than 130 kg inclusive.
- Gruyere: not less than 20 kg but not more than 45 kg inclusive.
- Bergkase: not less than 20 kg but not more than 60 kg inclusive.
- Appenzell: not less than 6 kg but not more than 8 kg inclusive.
- Vieira tribourgeois: not less than 6 kg but not more than 10 kg inclusive.
- Tete de mouse: not less than 0.700 kg but not more than 4 kg inclusive.
- Jarlsberg: not less than 9 kg but not more than 11 kg inclusive. (c)(x)

For the purposes of these provisions, rind is defined as follows:

The rind of such cheeses is the outer layer formed from the cheese itself, having a distinctly more solid consistency and a distinctly darker colour.

(b) "Whoa cheddar cheeses" mean:

- whole cheeses of a net weight of not less than 33 kg but not more than 44 kg inclusive,
- cubic blocks or parallelepipedes of cheese of a net weight of not less than 10 kg.

(c) "Free-at-ports value" means the free-at-ports price or fob price in the country of exportation, plus an amount corresponding to delivery and insurance costs to the customs territory of the Community. (b)

(d) The concession shall apply to vacuum-packed pieces of a net weight of less than 450 g provided that the packings of such goods bear at least the following particulars:

- the name of the cheese,
- the fat content by weight in the dry matter,
- the packer responsible,
- the country of origin of the cheese.

The expression 'put up for retail sale' shall be taken to apply to cheese put up in immediate packings of a net weight not exceeding 1 kg containing portions or slices of an individual net weight not exceeding 100 g.

| (a) | R.(EEC) 3336/82 |
| (b) | R.(EEC) 39/84 |
| (c) | R.(EEC) 1693/86 |
| (d) | R.(EEC) 2295/84 |

Applicable at the request of the party concerned as from 1 January 1984.

(a) Deleted by R.(EEC) 212/85

(x) Suspension revealed by R.(EEC) 1072/85 [Suspension by R.(EEC) 88/85]
### ANNEX II

<table>
<thead>
<tr>
<th>Certificate IMA 1</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CERTIFICATE**

for the admission of certain milk products
to certain headings or subheadings of the
Common Customs Tariff

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**IMPORTANT**

A. A separate certificate must be made out for each form of presentation of each product.

B. The certificate must be in an official language of the European Economic Community. It may also contain a translation into the official language or an official language of the exporting country.

C. The certificate must be made out in accordance with the Community provisions in force.

D. The original and, where appropriate, a copy of the certificate must be presented to the customs office in the Community at the time when the product is being put into free circulation.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10. Raw material used</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>11. Fat content by weight (kg) referred to dry matter</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>12. Water content by weight (kg) in non-fat matter</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>13. Fat content by weight (kg)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>14. Ripening period</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>15. Community free-at-frontier price per 100 kg net weight (in ECU) equal to or more than:</th>
</tr>
</thead>
</table>

| 16. Observations: |
|-------------------|------------------|
| (a) tariff quota (1) | (b) intended for processing (1) |

<table>
<thead>
<tr>
<th>17. THIS HEREBY CERTIFIED</th>
</tr>
</thead>
</table>

- that the particulars set out above are accurate and comply with the Community provisions in force.
- that for the products described above, no discount, refund, or any other rebate will be granted to the ouvrer, which may lead to the product in question having a value less than the minimum import value fixed for such product (2).

<table>
<thead>
<tr>
<th>18. Issuing agency</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Place:**

**Year** _Month_ _Day_

(Signature and name of issuing agency)
ANNEX III

RULES FOR COMPLETING CERTIFICATES

The following must be completed, in addition to boxes 1 to 6, 9, 17 and 18:

A. As regards special milk for infants falling within subheading 04.02 B I a) of the Common Customs Tariff:

1. Box 7 by specifying 'special milk for infants which is free from toxigenic or pathogenic germs and contains per gram less than 10 000 reversifiable aerobic bacteria and less than two coliform bacteria',

2. Box 10 by specifying 'exclusively home-produced cows' milk',

3. Box 13 by specifying 'exceeding 10 % but not exceeding 27 %'.

B. As regards Emmentaler, Gruyere, Sbruy, Bergkase, Appenzell, Vacherin frisbourgeois or Tête de moine cheese falling within subheading 04.04 A of the Common Customs Tariff:

1. Box 7 by specifying, as appropriate, 'Emmentaler cheese', 'Gruyere cheese', 'Sbruy cheese', 'Bergkase cheese', 'Appenzell cheese', 'Vacherin frisbourgeois cheese' or 'Tête de moine cheese' and, as appropriate,
   - 'in whole cheeses, with mold',
   - 'in pieces packed in vacuum or in inert gas, with mold on at least one side, and of a net weight of not less than 1 kg but less than 5 kg',
   - 'in pieces packed in vacuum or in inert gas, with mold on at least one side, and of a net weight of not less than 1 kg',
   - 'in pieces packed in vacuum or in inert gas, of a net weight not exceeding 450 g',

2. Box 10 by specifying 'exclusively home-produced cows' milk',

3. Box 11 by specifying 'at least 45 %',

4. Boxes 14 and 15: in the case of products originating in Austria or Finland, however, box 15 need not be completed.

C. As regards Gianus herb cheese (known as Schaanzer) falling within subheading 04.04 B of the Common Customs Tariff:

1. Box 7 by specifying 'Gianus cheese (known as Schaanzer)',

2. Box 10 by specifying 'exclusively home-produced skimmed milk with finely-ground herbs added'.

D. As regards the processed cheeses listed under (g) and (h) in Annex 1 (b) and falling within subheading 04.04 D (a) of the Common Customs Tariff:

1. Box 7 by specifying 'processed cheese, put up in immediate packaging of a weight not exceeding 1 kg containing portions or slices each weighing not more than 100 g',

2. Box 10 by specifying 'exclusively home-produced Emmentaler, Gruyere and Appenzell and possibly as an addition, Gianus herb cheese (known as Schaanzer)',

3. Box 11 by specifying 'not more than 56 %',

4. Box 15: in the case of products originating in Austria or Finland, however, Box 15 need not be completed.

E. As regards cheddar cheese listed under (d) in Annex 1 and falling within subheading 04.04 E 1 b) 1 of the Common Customs Tariff:

1. Box 7 by specifying, as appropriate:
   - 'whole cheddar cheeses',
   - 'cheddar cheeses in forms other than whole cheeses, of a net weight of not less than 500 g',
   - 'cheddar cheese in forms other than whole cheeses, of a net weight of less than 500 g',
2. Box 10 by specifying 'exclusively unpasteurized home-produced cows’ milk'.
3. Box 11 by specifying ‘at least 50%’.
4. Box 14 by specifying ‘at least nine months’.
5. Boxes 15 and 16 by specifying the period for which the quota is valid.

F. As regards cheddar cheeses listed under (e) in Annex I and falling within subheading 04.04 E I b) 1 of the Common Customs Tariff:
1. Box 7 by specifying ‘whole cheddar cheeses’.
2. Box 10 by specifying ‘exclusively home-produced cows’ milk’.
3. Box 11 by specifying ‘at least 50%’.
4. Box 14 by specifying ‘at least three months’.
5. Box 16 by specifying the period for which the quota is valid. (b)

G. As regards cheddar cheeses intended for processing as listed under (f) in Annex I and falling within subheading 04.04 E I b) 1 of the Common Customs Tariff:
1. Box 7 by specifying ‘whole cheddar cheeses’.
2. Box 10 by specifying ‘exclusively home-produced cows’ milk’.
3. Box 11 by specifying ‘at least 50%’.
4. Box 14 by specifying ‘at least three months’.
5. Box 16 by specifying the period for which the quota is valid. (b)

H. As regards Tilsit and Buttermkase cheeses listed under (k) and (s) in Annex I(a) and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff:
1. Box 7 by specifying as appropriate, ‘Tilsit cheese’ or ‘Buttermkase cheese’.
2. Box 10 by specifying ‘exclusively home-produced cows’ milk’.

I. As regards Kashkaval cheeses listed under (1) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff:
1. Box 7 by specifying ‘Kashkaval cheese’.
2. Box 10 by specifying ‘exclusively home-produced sheep’s milk’.

K. As regards cheeses of sheep’s milk or buffalo milk in containers containing brine, or in sheepskin or goatskin bottles, as listed under (m) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff:
1. Box 7 by specifying, as appropriate, ‘cheese of sheep’s milk’ or ‘cheese of buffalo milk’ and ‘in containers containing brine’ or ‘in sheepskin or goatskin bottles’.
2. Box 10 by specifying, as appropriate, ‘exclusively home-produced sheep’s milk’ or ‘exclusively home-produced buffalo milk’.

L. As regards other cheese, other than cheddar, intended for processing, as listed under (f) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff:
1. Box 7 by specifying ‘exclusively home-produced cows’ milk’.
2. Box 16 by specifying the period for which the quota is valid. (b)

---

(a) R.(EEC) 2239/84
Applicable at the request of the party concerned as from 1 January 1984.

(b) R.(EEC) 3371/84
M. As regards Edam cheese listed under (o) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff:

1. Box 7 by specifying 'Edam cheese in forms of a net weight not exceeding 350 g (known as Geheimratskäse)',
2. Box 11 by specifying 'not less than 40 % but less than 48 %'.

N. As regards blue-veined cheeses listed under (o) in Annex I and falling within subheading 04.04 C of the Common Customs Tariff:

Box 7 by specifying 'blue-veined cheese, not grated or powdered'.

O. As regards Feta and Kefalotyri cheeses listed under (p) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff:

1. Box 7 by specifying, as appropriate, 'Feta' or 'Kefalotyri'.
2. Box 10 by specifying 'exclusively home-produced cows milk'.
3. Box 11 by specifying 'less than 48 %'.

P. As regards Finiandia cheeses listed under (q) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff:

1. Box 7 by specifying 'Finiandia cheese in rectangular blocks, of a net weight of not less than 30 kg'.
2. Box 11 by specifying 'at least 45 %'.
3. Box 14 by specifying 'at least 100 days'.

Q. As regards Jarlsberg cheeses listed under (r) in Annex I and falling within subheading 04.04 E I (b) 2 of the Common Customs Tariff:

1. Box 7 by specifying "whole Jarlsberg cheeses of a net weight of 9 to 11 kg, inclusive", (b);
2. Box 11 by specifying 'at least 45 %';
3. Box 14 by specifying 'at least 3 months'. (a) (x)

(a) R.(EEC) 3336/82
(b) R.(EEC) 1693/84
(x) Suspension revealed by R.(EEC) 1072/83
(Suspension by R.(EEC) 86/83)
<table>
<thead>
<tr>
<th>Non-member country</th>
<th>CCT subheading and description</th>
<th>Issuing agency</th>
<th>Name</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>04.04 E1 b) 1 and 04.04 E1 b) 2 Cheddar and cheese for processing</td>
<td>Department of Primary Industry</td>
<td>Canberra</td>
<td></td>
</tr>
<tr>
<td>Austria</td>
<td>04.04 A Emmentaler Gruyère Bergkäse</td>
<td>Milchwirtschaftsfonds and Österreichische Hartkäse Export-Gesellschaft, either jointly or separately</td>
<td>Vienna Innbruck</td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>04.04 E1 b) 2 Kashkaval and cheeses of sheep’s milk or buffalo milk</td>
<td>Bulgarkontrola</td>
<td>Sofia</td>
<td>(c)</td>
</tr>
<tr>
<td>Canada</td>
<td>04.04 E1 b) 1 Cheddar</td>
<td>Canadian Dairy Commission Commission canadienne du lait</td>
<td>Ottawa</td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>04.04 E1 b) 2 Cheeses of sheep’s milk or buffalo milk</td>
<td>Ministry of Commerce and Industry</td>
<td>Nicosia</td>
<td></td>
</tr>
<tr>
<td>Finland</td>
<td>04.04 A Emmentaler Gruyère</td>
<td>Mautouluostuotojen Tarkastusasomas</td>
<td>Heinsinki</td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td>04.04 E1 b) 2 Kashkaval and cheeses of sheep’s milk or buffalo milk</td>
<td>Téstermének Magyar Allami Elnöködő Alomasa</td>
<td>Budapest</td>
<td></td>
</tr>
<tr>
<td>Israel</td>
<td>04.04 E1 b) 2 Kashkaval and cheese of sheep’s milk</td>
<td>Ministry of Industry and Trade-Food division</td>
<td>Jerusalem</td>
<td>(a)</td>
</tr>
<tr>
<td>Norway</td>
<td>04.04 E1 b) 2 Jarlsberg</td>
<td>Norske Meierer (e)</td>
<td>Oslo</td>
<td>(b)</td>
</tr>
<tr>
<td>New Zealand</td>
<td>04.04 E1 b) 1 and 04.04 E1 b) 2 Cheddar and cheese for processing</td>
<td>New Zealand Dairy Board</td>
<td>Wellington</td>
<td></td>
</tr>
<tr>
<td>Romania</td>
<td>ex 04.04 E1 b) 2 04.04 E1 b) 2 Kashkaval and cheeses of sheep’s milk or buffalo milk</td>
<td>Officiul de Control al Marmurilor</td>
<td>Bucarest</td>
<td></td>
</tr>
<tr>
<td>Switzerland</td>
<td>04.02 B 1a) Special milk for infants</td>
<td>Office fédéral de l’agriculture du département fédéral de l’économie publique</td>
<td>Berne</td>
<td></td>
</tr>
<tr>
<td></td>
<td>04.04 A Appenzell</td>
<td>Office commercial pour le fromage d’Appenzell</td>
<td>St. Gallen</td>
<td></td>
</tr>
<tr>
<td></td>
<td>04.04 A Emmentaler Gruyère Sbrinz</td>
<td>Union suisse du commerce de fromage SA</td>
<td>Berne</td>
<td></td>
</tr>
</tbody>
</table>

(a) R.(EEC) 2478/82  
(b) R.(EEC) 3336/82  
(c) R.(EEC) 1264/83  
(d) R.(EEC) 2239/84  
(e) R.(EEC) 1821/85  
(x) Applicable at the request of the party concerned as from 1 January 1984
<table>
<thead>
<tr>
<th>Non-member country</th>
<th>CCT subheading and description</th>
<th>Issuing agency</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Switzerland (and)</td>
<td>04.04 A Vacherin fribourgeois, Tête de moine</td>
<td>Société suisse des fabricants de fromages à pâte molle et mi-dure</td>
<td>Berne</td>
</tr>
<tr>
<td></td>
<td>04.04 B Giarus herb cheese</td>
<td>Chambre de commerce glaronaise et Société suisse des fabricants de fromages aux herbes</td>
<td>Glarus</td>
</tr>
<tr>
<td></td>
<td>04.04 D Processed cheese</td>
<td>Union suisse du commerce de fromage SA</td>
<td>Berne</td>
</tr>
<tr>
<td></td>
<td>04.04 E 1 b) 2 Tilsit</td>
<td>Central suisse du Commerce du Tilsit et Office fédéral de l'agriculture du département fédéral de l'économie publique</td>
<td>Weinfelden</td>
</tr>
<tr>
<td>Turkey</td>
<td>ex 04.04 E 1 b) 2 Kashkaval and cheeses of sheep milk or buffalo milk</td>
<td>TC Tarim</td>
<td>Berne</td>
</tr>
<tr>
<td>Yugoslavia</td>
<td>ex 04.04 E 1 b) 2 Cheese of sheep's milk in containers containing brine and Kashkaval</td>
<td>Fond ze Unapredjenje Proizvodnje i Plasmama Stoka i Stocnih Proizvoda</td>
<td>Belgrade</td>
</tr>
</tbody>
</table>

(a) R.(EEC) 39/84
COMMISSION REGULATION (EEC) No 778/86
of 14 March 1986
amending Regulation (EEC) No 1767/82 as regards imports of certain cheeses from Finland and Norway

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 Regulation (EEC) No 3768/85 (2), and in particular Article 14(7) thereof,

Whereas Annex II to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products and amending Regulation (EEC) No 950/68 of 10 April 1968 on the Common Customs Tariff (3), as last amended by Regulation (EEC) No 3679/85 (4), lays down, inter alia, annual tariff quotas for cheeses which may be imported from Finland and Norway;

Whereas, as a result of the conclusion of new arrangements between the Community and these third countries on trade in cheese, Regulation (EEC) No 2915/79 has been amended; whereas Annexes I, III and IV of Commission Regulation (EEC) No 1767/82 of 1 July 1982 laying down detailed rules for applying specific import levies on certain milk products (5), as last amended by Regulation (EEC) No 1821/85 (6), should, accordingly, be altered;

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

1. In Annex I Regulation (EEC) No 1767/82 is hereby amended as follows: the description appearing under (c), (h), (q), (r) and (s) and the levy in ECU per 100 kg net weight appearing under (s) are hereby replaced by the following:

<table>
<thead>
<tr>
<th>CCT heading No</th>
<th>Description</th>
<th>Country</th>
<th>Import Levy in ECU per 100 kg net weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) c. 04.04 A</td>
<td>Emmentaler, Gruyère, Sbrinz and Bergkäse, not grated or powdered, of a minimum fat content of 45 % by weight, in the dry state, matured for at least three months:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Whole cheeses with (1)(a) within the limit of an annual tariff quota of:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) 5 000 tonnes originating in Austria;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) 6 850 tonnes, including the consignment of Finlandia referred to under (a), originating in Finland;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>— Pieces packed in vacuum or in inert gas, with (1)(a) on at least one side of a net weight of not less than 1 kg but less than 5 kg, within the limit of an annual tariff quota of:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) 100 tonnes, originating in Austria;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) 1700 tonnes originating in Finland.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The quantities referred to in the first and second indents under (b) are interchangeable within the limit of 0.5 % of the stated quantities.

<table>
<thead>
<tr>
<th>CT heading No</th>
<th>Description</th>
<th>Country of origin</th>
<th>Import Levy in ECU per 100 kg net weight</th>
</tr>
</thead>
</table>
| ex 04.04 D    | Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale (*) and of a fat content not exceeding 56 % by weight, in the dry matter, within the limit of an annual tariff quota of: 
(a) 3 700 tonnes, originating in Austria,  
(b) 700 tonnes originating in Finland, including the Tilsit, Turunmaa and Lappi cheeses referred to under (a). | Austria, Finland   | 36.27                                 |
| ex 04.04 E I b) 2 | Finlandia, of a minimum fat content of 45 % by weight, in the dry matter, matured for at least 100 days, in rectangular blocks of a net weight of not less than 30 kg, originating in Finland, within the limit of an annual tariff quota of 3 000 tonnes. Quantities of this product which are not imported may be replaced by corresponding quantities of cheeses appearing under (c)  
(b) and (c) 1b. | Finland            | 18.13                                 |
| x 04.04 E I b) 2 | — Jarlsberg, of a minimum fat content of 45 % by weight, in the dry matter, and of a dry matter content by weight of not less than 56 %, matured for at least three months:  
— Whole cheeses with rind, of between 8 kg and 12 kg,  
— Rectangular blocks of a net weight not exceeding 7 kg (†)  
— Pieces packed in vacuum or in inert gas, of a net weight of not less than 150 g but not exceeding 1 kg (†)  
— Ridder, of a minimum fat content of 60 % by weight, in the dry matter, matured for at least four weeks:  
— Whole cheeses with rind, of between 1 kg and 2 kg,  
— Pieces packed in vacuum or in inert gas, with rind on at least one side, of a net weight of not less than 150 g,  
Originating in Norway, within the limit of an annual tariff quota of:  
— 1 700 tonnes for 1986.  
— 1 800 tonnes for 1987.  
— 1 900 tonnes for 1988. | Norway              | 55.00                                 |
| x 04.04 E I b) 2 | Tilsit, Turunmaa and Lappi, within the limit of the annual tariff quota appearing under (b) (b), originating in Finland | Finland            | 0.00                                  |

2. At the end of the Annex I to Regulation (EEC) No 1767/82,  
— the last indent of footnote 1 (a) on Jarlsberg is deleted,  
— footnote 3 is replaced by the following:  

"(†) The concession shall apply to rectangular blocks and to pieces packed in vacuum or in inert gas provided that the packings of such goods bear at least the following particulars:  
— the name of the cheese,  
— the fat content by weight in the dry matter,  
— the packer responsible,  
— the country of origin of the cheese."
3. In Annex III sections H and Q are hereby replaced by the following:

"H. As regards Tilsit, Butterkäse, Turunmaa and Lappi cheeses listed under (i), (k) and (s) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff:

1. Box 7 by specifying, as appropriate, "Tilsit cheese" or "Butterkäse cheese" or "Turunmaa cheese" or "Lappi cheese",

2. Box 10 by specifying, "exclusively home-produced cows' milk",


"Q. As regards Jarlsberg and Ridder cheeses listed under (r) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff:

1. Box 7 by specifying

   either "Jarlsberg cheese" and, as appropriate:
   — "in whole cheeses with rind, of a net weight of not less than 8 kg and not more than 12 kg" or
   — "in rectangular blocks of a net weight of not more than 7 kg" or
   — "in pieces packed in vacuum or in inert gas, of a net weight of not less than 150 g and not more than 1 kg"

   or "Ridder cheese" and, as appropriate:
   — "in whole cheeses, with rind, of between 1 kg and 2 kg" or
   — "in pieces packed in vacuum or in inert gas, with rind on at least one side, and of a net weight of not less than 150 g".

2. Box 11 by specifying, as appropriate, "at least 45 %" or "at least 60 %".

3. Box 14 by specifying, as appropriate, "at least three months" or "at last four weeks".

4. In Annex IV the following is added to the description appearing in the third column for Finland and Norway:

<table>
<thead>
<tr>
<th>Country</th>
<th>Code 1</th>
<th>Code 2</th>
<th>Code 3</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finland</td>
<td>04.04 A</td>
<td>Emmentaler, Gruyere</td>
<td>Maitotalousuotteen Tarkastusaitos</td>
<td></td>
</tr>
<tr>
<td></td>
<td>04.04 D</td>
<td>Processed cheese</td>
<td>Helsinki</td>
<td></td>
</tr>
<tr>
<td></td>
<td>04.04 E I b) 2</td>
<td>Finlandia, Tilsit, Turunmaa, Lappi</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norway</td>
<td>04.04 E I b) 2</td>
<td>Jarlsberg</td>
<td>Norske</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ridder</td>
<td>Meierer</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Oslo</td>
<td></td>
</tr>
</tbody>
</table>

**Article 2**

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

Is shall apply, at the request of the person concerned, with effect from 1 January 1986.

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

Done at Brussels, 14 March 1986.

For the Commission
Frans ANDRIESEN
Vice-President