1.4.72

### REGULATION (EEC) No 650/72 OF THE COUNCIL

#### of 30 March 1972

amending the descriptions of certain goods in Regulation (EEC) No 823/68 determining the groups of products and the special provisions for calculating levies on milk and milk products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68¹ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 1410/71,² and in particular Article 14 (6) thereof;

Having regard to the proposal from the Commission;

Whereas Annex II to Council Regulation (EEC) No 823/68³ 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 2864/71,⁴ describes the goods covered by that Regulation;

Whereas to meet trade requirements as regards the packaging of unsweetened condensed milk, the use of glass containers should be allowed and the wording of subheading No 04.02 A III of the Common Customs Tariff should be amended accordingly;

Whereas Council Regulation (EEC) No 647/72<sup>5</sup> of 30 March 1972 fixing the target price for milk and the intervention prices for butter, skimmed milk powder and Grana padano and Parmigiano Reggiano cheeses for the 1972/73 marketing year provides for an alteration of the target price for milk; whereas, taking account of the provisions relating to the binding of Emmentaler cheese within GATT, the free-at-frontier values listed in Annex II to Regulation (EEC) No 823/68 concerning subheading

No 04.04 A I of the Common Customs Tariff must be amended accordingly;

Whereas, since the prices of cheeses for processing have increased in the Community and in international trade, the terms of the arrangement with Switzerland relating to processed cheese must be amended; whereas the particulars relating to these cheeses, including the free-at-frontier value given therein, should therefore be amended;

HAS ADOPTED THIS REGULATION:

# Article 1

- 1. Annex II to Regulation (EEC) No 823/68 shall, as regards subheadings Nos 04.02 A III, 04.04 A I and 04.04 D I of the Common Customs Tariff, be amended in accordance with the first two columns of the Annex to this Regulation.
- 2. The following shall be substituted for footnote 7 (a) in Annex II to Regulation (EEC) No 823/68:
  - '(a) in boxes (including special packing in individual compartments of plastic material):
    - containing at least 3 but not more than 12 individual portions of an aggregate net weight not exceeding 250 g, or
    - of a net capacity not exceeding 56 g;

### Article 2

The tariff nomenclature in the Annex to this Regulation shall be incorporated in the Common Customs Tariff.

## Article 3

1. This Regulation shall enter into force on 1 April 1972.

<sup>&</sup>lt;sup>1</sup> OJ No L 148, 28.6.1968, p. 13.

<sup>&</sup>lt;sup>2</sup> OJ No L 148, 3.7.1971, p. 3.

<sup>&</sup>lt;sup>3</sup> OJ No L 151, 30.6.1968, p. 3.

<sup>&</sup>lt;sup>4</sup> OJ No L 288, 31.12.1971, p. 2.

<sup>&</sup>lt;sup>5</sup> OJ No L 79, 1.4.1972, p. 2.

2. The amendments to the nomenclature provided for in this Regulation shall not, however, affect

import and export licences issued before the date of entry into force of this Regulation.

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

Done at Brussels, 30 March 1972.

For the Council
The President
J. P. BUCHLER

# ANNEX

CCT heading No	Description of goods	Rate of autonomous duty or levies (L) (for information)
04.02	Milk and cream, preserved, concentrated or sweetened:	
01.02		
	A. Not containing added sugar  I. (unchanged)	
	II. (unchanged)	
	III. Milk and cream, other than in powder or granules	
	(a) In hermetically sealed cans of a net capacity of 454 g or less or in glass containers holding 0.5 litres or less and of a fat content by weight, of 11% or less:	
	1. (unchanged)	
	2. (unchanged)	
	B. (unchanged)	
04.04	Cheese and curd:	
	A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered:	•
	I. Of a minimum fat content of 45% by weight referred to dry matter, having matured for at least three months <sup>2</sup>	
	(a) Whole cheeses4 of a free-at-frontier value5 per 100 kg net weight of:	
	1. 142.58 u.a. or more, but less than 162.33 u.a.	23 (L)
	2. 162·33 u.a. or more	23 (L)
	(b) Vacuum-packed or inert-gas-packed pieces:	
	1. With rind on at least one side, of a net weight:	
	(aa) Of not less than 1 kg but less than 5 kg and of a free-at- frontier value <sup>5</sup> of not less than 162.33 u.a. but less than 190.58 u.a. per 100 kg net weight	23 (L)
	(bb) Of not less than 450 g and of a free-at-frontier value <sup>5</sup> of not less than 190.58 u.a. per 100 kg net weight	23 (L)
	2. Other, of a net weight of not less than 75 g but not more than 250 g <sup>6</sup> and of a free-at-frontier value <sup>5</sup> of not less than 210.58 u.a. per 100 kg net weight	23 (L)
	II. (unchanged)	25 (1)
	B. (unchanged)	
	C. (unchanged)	
	D. Processed cheese, not grated or powdered:	
	I. 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 (in boxes or slices) for retail sale, of a free-at-frontier value of not less than 140 u.a. per 100 kg net weight and of a fat content by weight referred to dry matter.	
	(a) Not exceeding 48% in respect of the aggregate of portions or slices	23 (L)
	(b) Not exceeding 48% in respect of 5/6 of the aggregate of portions or slices, and not exceeding 56% for the remaining 1/6	23 (L)
	(c) Exceeding 48% but not exceeding 56% in respect of the aggregate of portions or slices	23 (L)
	II. (unchanged)	
	E. (unchanged)	,