

COUNCIL REGULATION (EEC) No 874/77

of 26 April 1977

amending Regulation (EEC) No 823/68 as regards the conditions for the entry of certain cheeses under certain tariff headings and Regulation (EEC) No 950/68 on the Common Customs Tariff

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 Regulation (EEC) No 559/76⁽²⁾, and in particular Article 14 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Annex II to Council Regulation (EEC) No 823/68 of 28 June 1968 determining the groups of products and the special provisions for calculating levies on milk and milk products⁽³⁾, as last amended by Regulation (EEC) No 561/76⁽⁴⁾, lays down certain conditions in respect of the entry into the Community of Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell cheeses falling within subheading 04.04 A I and Cheddar cheese falling within subheading 04.04 E I b) 1 aa) of the Common Customs Tariff; whereas these conditions include observance of the free-at-frontier values corresponding to binding under GATT; whereas these values must be aligned, respectively, on the Community target price for milk and threshold price for Group 10 fixed for the 1977/1978 milk year;

Whereas the designation of 'Chester' falling within subheading 04.04 E I b) 1 of the Common Customs Tariff may give rise to difficulties when similar cheeses are classified; whereas that designation which appears in the description of goods in the aforesaid subheading should therefore be deleted;

Whereas the tariff nomenclature employed in Annex II to Regulation (EEC) No 823/68 is also that of the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The descriptions of goods falling within subheadings 04.04 A I and 04.04 E I b) 1 aa) of the Common Customs Tariff and given in Annex II to Regulation (EEC) No 823/68 are hereby replaced by those given in Annex I to this Regulation.

Article 2

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 is hereby amended as shown in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on 1 May 1977.

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

Done at Luxembourg, 26 April 1977.

For the Council

The President

J. SILKIN

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 3.

⁽⁴⁾ OJ No L 67, 15. 3. 1976, p. 11.

ANNEX I

(applicable with effect from 1 May 1977)

CCT heading No	Description of goods
04.04	<p>Cheese and curd :</p> <p>A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powered :</p> <p>I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months⁽²⁾ :</p> <p>a) Whole cheeses⁽⁴⁾ of a free-at-frontier value⁽⁵⁾ per 100 kg net weight of :</p> <ol style="list-style-type: none"> 1. 220·70 u.a. or more, but less than 240·70 u.a. 2. 240·70 u.a. or more <p>b) Pieces packed in vacuum or in inert gas :</p> <ol style="list-style-type: none"> 1. With rind on at least one side, of a net weight : <ol style="list-style-type: none"> aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value⁽⁵⁾ of not less than 240·70 u.a. but less than 268·70 u.a. per 100 kg net weight bb) Of not less than 450 g and of a free-at-frontier value⁽⁵⁾ of not less than 268·70 u.a. per 100 kg net weight 2. Other, of a net weight of not less than 75 g but not more than 250 g⁽⁶⁾ and of a free-at-frontier value⁽⁵⁾ of not less than 288·70 u.a. per 100 kg net weight <p>II. (Unchanged)</p> <p>E. (Unchanged)</p> <p>I. (Unchanged)</p> <p>a) (Unchanged)</p> <p>b) (Unchanged)</p> <p>1. Cheddar :</p> <p>aa) Whole Cheddar cheeses⁽⁴⁾, made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for at least nine months and of a free-at-frontier value of not less than 213·20 u.a. per 100 kg net weight⁽²⁾</p> <p>bb) (unchanged)</p>

ANNEX II

In chapter 4 of the Common Customs Tariff the columns relating to sub-headings 04.04 A I and 04.04 E I b) 1 aa) are amended, with effect from 1 May 1977, to read as follows :

CCT heading No	Description of goods	Rate of Duty	
		Autonomous % or levy (L)	Conven- tional %
1	2	3	4
04.04	<p>Cheese and curd (a) :</p> <p>A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered :</p> <p>I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months (b) :</p> <p>a) Whole cheeses of a free-at-frontier value per 100 kg net weight of :</p> <p>1. 220·70 u.a. or more, but less than 240·70 u.a. 23 (L) (c)</p> <p>2. 240·70 u.a. or more 23 (L) (c)</p> <p>b) Pieces packed in vacuum or in inert gas :</p> <p>1. With rind on at least one side, of a net weight :</p> <p>aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 240·70 u.a. but less than 268·70 u.a. per 100 kg net weight 23 (L) (c)</p> <p>bb) Of not less than 450 g and of a free-at-frontier value of not less than 268·70 u.a. per 100 kg net weight 23 (L) (c)</p> <p>2. Others of a net weight of not less than 75 g but not more than 250 g and of a free-at-frontier value of not less than 288·70 u.a. per 100 kg net weight 23 (L) (c)</p> <p>II. (Unchanged)</p> <p>E. (Unchanged)</p> <p>I. (Unchanged)</p> <p>a) (Unchanged)</p> <p>b) (Unchanged)</p> <p>1. Cheddar :</p> <p>aa) Whole Cheddar cheeses made from unpasteurized milk of a minimum fat content of 50 % by weight, in the dry matter, matured for at least nine months and of a free-at-frontier value of not less than 213·20 u.a. per 100 kg net weight (b) 23 (L) —</p> <p>bb) (Unchanged) 23 (L) —</p>		