

Commission Regulation (EC) No 296/2009 of 8 April 2009 on detailed rules for administrative assistance with the exportation of certain cheeses subject to quota restrictions that qualifies for special treatment on importation into the United States of America (Recast)

Article 1

For exportation to the United States of America (including Puerto Rico and Hawaii) of cheeses 'Swiss or Emmentaler cheese with eye formation' which fall within subheadings 0406.90.44 to 0406.90.48 of the *Harmonised Tariff Schedule of the United States* and are subject to quota restrictions, the competent authority of the exporting Member State shall issue, at the exporter's request, a certificate corresponding to the model in Annex I.

Article 2

1 Forms referred to in Article 1 shall be printed on white paper of format 210 × 296 millimetres and shall be worded in English. Each certificate shall be given a serial number by the issuing authority. Exporting Member States may require that the certificates issued on their territory be worded in their official language, or in one of their official languages, in addition to English.

2 Each certificate shall be made out in an original and in at least two copies. The copies shall bear the same serial number as the original. The original and the copies shall be completed in typescript or by hand, in block letters in ink.

Article 3

1 The certificate and its copy shall be issued by the authority designated for this purpose by the exporting Member State.

2 The issuing authority shall retain a copy of the certificate. The original and the other copy shall be presented at the Community customs office at which the export declaration is lodged.

3 The customs office mentioned in paragraph 2 shall complete the appropriate section on the original and return it to the exporter or to his representative. It shall retain the copy.

Article 4

The certificate shall not be valid until it has been duly stamped by the customs office. It shall cover the quantity of cheese indicated thereon and must be presented to the customs authorities of the United States of America. However, a quantity exceeding by no more than 5 % that indicated on the certificate shall be regarded as covered by it.

Article 5

The Member States shall take all necessary measures to check the origin, type, composition and quality of the cheeses for which certificates are issued.

Article 6

Regulation (EEC) No 2248/85 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 296/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Article 7

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 8 April 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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Changes and effects yet to be applied to :

- Regulation revoked by [2023 c. 28 Sch. 1 Pt. 2](#)