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► **B****COMMISSION REGULATION (EU) No 479/2010****of 1 June 2010**

**laying down rules for the implementation of Council Regulation (EC) No 1234/2007 as regards Member States' notifications to the Commission in the milk and milk products sector**

(OJ L 135, 2.6.2010, p. 26)

Amended by:

		Official Journal		
		No	page	date
► <b><u>M1</u></b>	Commission Regulation (EU) No 1041/2010 of 16 November 2010	L 299	4	17.11.2010
► <b><u>M2</u></b>	Commission Regulation (EU) No 173/2011 of 23 February 2011	L 49	16	24.2.2011
► <b><u>M3</u></b>	Commission Implementing Regulation (EU) No 1191/2011 of 18 November 2011	L 302	30	19.11.2011
► <b><u>M4</u></b>	Commission Implementing Regulation (EU) No 1333/2013 of 13 December 2013	L 335	8	14.12.2013
► <b><u>M5</u></b>	Commission Implementing Regulation (EU) No 1097/2014 of 17 October 2014	L 300	39	18.10.2014
► <b><u>M6</u></b>	Commission Implementing Regulation (EU) 2017/1185 of 20 April 2017	L 171	113	4.7.2017

▼ B**COMMISSION REGULATION (EU) No 479/2010****of 1 June 2010**

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▼ M5

## CHAPTER Ia

**DELIVERIES OF RAW MILK TO FIRST PURCHASERS**▼ M6▼ B

## CHAPTER II

**PRICES**▼ M6▼ B

## CHAPTER III

**TRADE***SECTION 1****Imports****Article 4*

Member States shall notify to the Commission, not later than the 10th of each month for the previous month, the quantities of milk and milk products imported under preferential conditions other than tariff quotas, as referred to in ► M5 part J ◀ of Part I of Annex II to Regulation (EC) No 376/2008 for which import licences have been issued, broken down by CN code and by country of origin code.

The notifications shall include nil returns.

*Article 5*

By 31 March at the latest in respect of the previous year, Member States shall notify to the Commission the following data, broken down by CN code, concerning the import licences issued on presentation of an IMA 1 certificate, in accordance with Title 2, Chapter III, Section 1 of Regulation (EC) No 2535/2001, specifying the IMA 1 certificate numbers:

- (a) the quantity of products covered by the certificate and the date of issue of the import licences;

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- (b) the quantity of products in respect of which the security has been released.

The notifications shall include nil returns.

*SECTION 2**Exports**Article 6*

1. Member States shall notify to the Commission, by 6 p.m. on each working day, the following information:

- (a) the quantities, broken down by code of the export refund nomenclature for milk products and by destination code, covered by applications submitted that day for licences:
  - (i) as referred to in Article 1(2)(b)(ii) of Regulation (EC) No 376/2008, with the exception of those referred to in Articles 15 and 29 of Regulation (EC) No 1187/2009;
  - (ii) as referred to in Article 15 of Regulation (EC) No 1187/2009;

**▼M1**

- (b) where appropriate, that no applications have been submitted on that day, except where none of the products referred to in Part 9 of Annex I to Commission Regulation (EEC) No 3846/87 <sup>(1)</sup> is subject to a refund or where only a 0 rate refund is applicable;

**▼B**

- (c) the quantities, broken down by application and by code of the export refund nomenclature for milk products and by destination code, covered by applications submitted on that day for provisional licences referred to in Article 8 of Regulation (EC) No 1187/2009, indicating:
  - (i) the closing date for submitting tenders, accompanied by a copy of the document confirming the invitation to tender for the quantities applied for;
  - (ii) the quantity of products covered by the invitation to tender;
- (d) the quantities, broken down by code of the export refund nomenclature for milk products and by destination code, for which the provisional licences referred to in Article 8 of Regulation (EC) No 1187/2009 were definitively issued or cancelled that day, the date of the provisional licence and the quantity it covers;
- (e) where appropriate, the revised quantity of products covered by the invitation to tender referred to in point (c) of this paragraph;

<sup>(1)</sup> OJ L 366, 24.12.1987, p. 1.

**▼B**

- (f) the quantities, broken down by code of the export refund nomenclature for milk products, covered by licences with a refund issued under Article 32(1) of Regulation (EC) No 1187/2009.

2. As regards the notification referred to in paragraph 1(c)(i), where several applications have been submitted for the same invitation to tender, one notification per Member State shall suffice.

*Article 7*

1. Member States shall notify to the Commission, before the 16th of each month for the previous month, the following information:

**▼M3**

- (a) the quantities, broken down by code of the export refund nomenclature for milk products, by destination code and date of lodging the application, covered by licence applications cancelled under the second subparagraph of Article 10(2) of Regulation (EC) No 1187/2009;

- (b) the unused quantities on licences expired and returned in the previous month and which have been issued since 1 July of the current GATT-year, broken down by code of the export refund nomenclature for milk products and by destination code;

**▼B**

- (c) the quantities of milk products, broken down by CN code and by country of origin code, which are not in one of the situations referred to in Article 28(2) of the Treaty and are imported for use in the manufacture of products falling within CN code 0406 30, in accordance with Article 12(5)(c) of Commission Regulation (EC) No 612/2009 <sup>(1)</sup> and for which the authorisation referred to in Article 15 of Regulation (EC) No 1187/2009 has been granted;

- (d) the quantities broken down by CN code, for which licences have been issued and where no refund is applied for, as referred to in Article 18 of Regulation (EC) No 1187/2009.

2. Member States shall notify to the Commission before 31 December the quantities broken down by CN code for which licences have been issued for the following quota year, in accordance with Article 25 of Regulation (EC) No 1187/2009.

**▼M4**

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<sup>(1)</sup> OJ L 186, 17.7.2009, p. 1.

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CHAPTER IV  
GENERAL AND FINAL PROVISIONS

▼M5

*Article 8*

1. The notifications referred to in this Regulation shall be made in accordance with Commission Regulation (EC) No 792/2009 <sup>(1)</sup>.

2. By way of derogation from paragraph 1, until 31 December 2014, the notifications referred to in Articles 2, 4 and 6 shall be made by the Member States by electronic means using the methods made available to them by the Commission. The form and content of the notifications shall be defined on the basis of models or methods made available to the competent authorities by the Commission. Those models and methods shall be adapted and updated after the Committee referred to in Article 229 of Regulation (EU) No 1308/2013 and the competent authorities concerned, as appropriate, have been informed.

▼B

*Article 9*

The Commission shall keep available for the Member States the data, information and documents transmitted by them.

*Article 10*

Regulation (EC) No 562/2005 is repealed.

However, Regulation (EC) No 562/2005 shall continue to apply to transmission of data, information and documents relating to the period before the application of this Regulation.

References made 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 to this Regulation.

*Article 11*

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

It shall apply from 1 August 2010.

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

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<sup>(1)</sup> Commission Regulation (EC) No 792/2009 of 31 August 2009 laying down detailed rules for the Member States' notification to the Commission of information and documents in implementation of the common organisation of the markets, the direct payments' regime, the promotion of agricultural products and the regimes applicable to the outermost regions and the smaller Aegean islands (OJ L 228, 1.9.2009, p. 3).



## ANNEX I.A

## WEEKLY NOTIFICATION

Article 2(1) of Regulation (EU) No 479/2010

EUROPEAN COMMISSION — DG AGRIC.4 — ANIMAL PRODUCTS  
UNIT

Member State: .....

Person to contact: .....

Telephone: .....

Fax: .....

E-mail: .....

Product	CN code	Representative packing unit	Remarks
1. Whey powder	0404 10 02	25 kg	
2. Skimmed milk powder complying with the intervention quality requirements	0402 10 19	25 kg	
3. Skimmed milk powder for animal feed	0402 10 19 ANIM	20 t	
4. Whole milk powder	0402 21 19	25 kg	
5. Butter — unsalted	0405 10 19	25 kg	
6. Butter — unsalted	0405 10 11	250 g	
7. Butter oil	0405 90 10	200 kg	
8. Cheddar, 45 to 50 % fat in the dry matter	0406 90 21	( <sup>1</sup> )	
9. Gouda, 45 to 50 % fat in the dry matter	0406 90 78	( <sup>1</sup> )	
10. Edam, 40 to 45 % fat in the dry matter	0406 90 23	( <sup>1</sup> )	
11. Emmental, 45 to 50 % fat in the dry matter	0406 90 13	( <sup>1</sup> )	

(<sup>1</sup>) For cheeses the notification shall refer to the most representative packing unit.

▼ M1

## ANNEX I.B

## MONTHLY NOTIFICATION

Article 2(2) of Regulation (EU) No 479/2010

EUROPEAN COMMISSION — DG AGRIC.4 — ANIMAL PRODUCTS  
UNIT

Member State: .....

Person to contact: .....

Telephone: .....

Fax: .....

E-mail: .....

Product	CN code	Representative packing unit	Remarks
1. Casein	3501 10	25 kg (bags)	
2. Cheeses:			
—		( <sup>1</sup> )	
—		( <sup>1</sup> )	
—		( <sup>1</sup> )	
—		( <sup>1</sup> )	
—		( <sup>1</sup> )	

(<sup>1</sup>) For cheeses the notification shall refer to the most representative packing unit.

**▼B***ANNEX II***Elements to be included in the report on the price for raw milk and dairy products to be submitted to the Commission (\*) in accordance with Article 3**

## 1. Organisation and structure of the market:

general overview of the market structure for the product in question.

## 2. Product definition:

composition (fat content, dry matter content, water content in the non-fatty matter), quality class, age or maturing stage, presentation and packing conditions (e.g. in bulk, in 25 kg sacks), other characteristics.

## 3. Place and procedure of recording:

(a) the body responsible for the price statistics (address, fax, e-mail);

(b) the number of recording points and the geographical area or region to which prices apply;

**▼M3**

(c) the survey method: an indication shall be given from which stakeholders (producers, first buyers) the data are originating and by which way or method the data are collected;

**▼B**

(d) statistical processing of prices, including conversion factors used to convert the weight of products into the representative weight, laid down in Annex I.

## 4. Production:

annual (estimated) production in the Member State.

## 5. Representativeness:

the share of the volume recorded (e.g. in % of the annual production).

## 6. Other relevant aspects

(\*) The report shall be sent to the following address: European Commission — DG AGRIC.4 — Animal Products.





## ANNEX III

## CORRELATION TABLE

Regulation (EC) No 562/2005	Present Regulation
Article 1	—
Article 2	—
Article 3	—
Article 4	—
Article 5	Article 1
Article 6(1)	Article 2(1)
—	Article 2(2)
Article 6(2)	Article 2(3), 3(1)
Article 6(3)	Article 3(2)
Article 6(4)	Article 3(3)
Article 6(5)	Article 2(4)
—	Article 3(4)
Article 7(1)	—
Article 7(2)	—
Article 7(3)	—
Article 7(4)	Article 4
Article 7(5)	Article 4
Article 7(6)	—
Article 8	Article 5
Article 9(1)	Article 6(1)
Article 9(2)	Article 6(2)
Article 9(3)	—
Article 10	—
Article 11(a)	Article 7(1)(a)
Article 11(b)	Article 7(1)(b)
Article 11(c)	—
Article 11(d)	Article 7(1)(c)
Article 11(e)	Article 7(1)(d)
Article 11(e)	Article 7(2)
Article 12	—

**▼B**

Regulation (EC) No 562/2005	Present Regulation
Article 13	—
Article 14	Article 8
Article 15	Article 9
Article 16	Article 10
Article 17	Article 11
Annex I	—
Annex II	—
Annex III	—
Annex IV	—
Annex V	—
Annex VI	Annex I.A and I.B
Annex VII	—
Annex VIII	—
Annex IX	—
Annex X	—
Annex XI	—
Annex XII	Annex II
Annex XIII	Annex III