COMMISSION REGULATION (EC) No 2856/2000

of 27 December 2000

amending Regulation (EC) No 2508/97 laying down detailed rules for the application to milk and milk products of the schemes provided for in the Europe Agreements between the Community and the Republic of Hungary, the Republic of Poland, the Czech Republic, the Slovak Republic, Bulgaria, Romania and Slovenia, and the Agreements on free trade between the Community and the Baltic States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1349/2000 of 19 June 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Estonia ([1]), as amended by Regulation (EC) No 2677/2000 ([2]), and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 1727/2000 of 31 July 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Hungary ([3]), and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2290/2000 of 9 October 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Bulgaria ([4]), and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2341/2000 of 17 October 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Latvia ([5]), and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2433/2000 of 17 October 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with the Czech Republic ([6]), and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2434/2000 of 17 October 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with the Slovak Republic ([7]), and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2435/2000 of 17 October 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Romania ([8]), and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2475/2000 of 7 November 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Slovenia ([9]), and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2766/2000 of 14 December 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Lithuania ([10]), and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2851/2000 of 22 December 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Poland ([11]), and in particular Article 1(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 2508/97 ([12]), as last amended by Regulation (EC) No 1431/2000 ([13]) lays down, *inter alia*, detailed rules for the application to milk and milk products of the schemes provided for in the Europe Agreements between the Community and certain central and eastern European countries. It should be amended to implement the concessions provided for

([1]) OJ L 155, 28.6.2000, p. 1.
([2]) OJ L 308, 8.12.2000, p. 7.
([3]) OJ L 198, 4.8.2000, p. 6.
([4]) OJ L 262, 17.10.2000, p. 1.
([5]) OJ L 271, 24.10.2000, p. 7.
([6]) OJ L 280, 4.11.2000, p. 1.
([7]) OJ L 280, 4.11.2000, p. 9.
([8]) OJ L 280, 4.11.2000, p. 17.
([9]) OJ L 286, 11.11.2000, p. 15.
([10]) OJ L 321, 19.12.2000, p. 8.
([11]) See page 7 of this Official Journal.
([12]) OJ L 345, 16.12.1997, p. 31.
([13]) OJ L 161, 1.7.2000, p. 53.

with effect from 1 July 2000 by Regulations (EC) No 1349/2000, (EC) No 1727/2000, (EC) No 2290/2000, (EC) No 2341/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000 and (EC) No 2475/2000 and with effect from 1 January 2001 by Regulations (EC) No 2766/2000 and (EC) No 2851/2000 as regards milk products.

(2) To give economic operators an opportunity to take note of the new rules, the licence application period should be extended by 10 days.

(3) The quantities available for the first six months of 2001 should be published, and other technical amendments should be made.

(4) Repayment of import duties on the products listed in Annex I to Regulation (EC) No 2508/97 as it existed before the entry into force of this Regulation and imported under licences used from 1 July 2000 falls within the scope of Articles 878 to 898 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code [1], as last amended by Regulation (EC) No 1602/2000 [2].

(5) 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

Regulation (EC) No 2508/97 is hereby amended as follows:

1. Article 1(1) is replaced by the following:

   '1. This Regulation lays down detailed rules for the application to milk and milk products of the schemes provided for in the Europe Agreements with Poland, the Czech Republic, the Slovak Republic, Hungary, Romania, Bulgaria, Estonia, Latvia, Lithuania and Slovenia.'

2. Article 2(1) is replaced by the following:

   '1. For the purposes of this Regulation, "import year" shall mean the 12-month period from 1 July. However, for the scheme provided for in Article 21(2) of the Europe Agreement between the European Community and Slovenia, "import year" shall mean the calendar year.'

3. The final subparagraph of Article 2(2) is replaced by the following:

   'However, the quantities available for the first six months of 2001 shall be those listed in Annex IV.'

4. The following subparagraph is added to Article 4(1):

   'However, licence applications for the first six months of 2001 may be lodged during the first twenty days of January 2001.'

5. Article 8 is replaced by the following:

   '*Article 8*

   The products to which the schemes provided for in Article 1(1) apply shall be released for free circulation on presentation of an EUR.1 certificate issued by the exporting country in accordance with Protocol 4 to the Agreements concluded between the Community and the country concerned, or of a declaration by the exporter in accordance with the said Protocol. However, for the Baltic States the EUR.1 certificate shall be issued by the exporting country in accordance with Protocol 3 to the Agreements concluded between the Community and the country concerned.'

6. Annex I to Regulation (EC) No 2508/97 is replaced by Annex I to this Regulation.

7. Annex I.A to Regulation (EC) No 2508/97 is replaced by Annex II to this Regulation.

Article 2

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

Point 6 of Article 1 shall apply from 1 July 2000. However, parts A, I and K of Annex I shall apply from 1 January 2001.

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

Done at Brussels, 27 December 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 253, 11.10.1993, p. 1.
[2] OJ L 188, 26.7.2000, p. 1.

ANNEX I

'ANNEX I

A. **Products originating in Poland**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Annual quantities (tonnes)	
				From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4813	0402 10 19 0402 21 19 0402 21 99	Skimmed milk powder Whole milk powder Whole milk powder	Free	10 000	1 000
09.4814	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 20 90	Butter and dairy spreads (2)	Free	6 000	600
09.4815	0406	Cheese and curd (2)	Free	9 000	900

B. **Products originating in the Czech Republic**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Annual quantities (tonnes)	
				From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4611	0402 10 19 0402 21 19 0402 21 91	Skimmed milk powder Whole milk powder Whole milk powder	20	2 875	0
09.4612	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 20 90	Butter	20	1 250	0
09.4613	0406	Cheese and curd (2)	Free	5 100	765

C. **Products originating in the Slovak Republic**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Annual quantities (tonnes)	
				From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4611	0402 10 19 0402 21 19 0402 21 91	Skimmed milk powder Whole milk powder Whole milk powder	20	1 500	0
09.4612	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 20 90	Butter	20	750	0
09.4613	0406	Cheese and curd (2)	Free	2 200	330

D. **Products originating in Hungary**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Annual quantities (tonnes)	
				From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4731	0402 10	Milk and cream in powder or solid form, fat content < 1,5 %	Free	375	40
09.4733	0406	Cheese and curd (2)	Free	3 500	350

E. **Products originating in Romania**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Annual quantities (tonnes)	
				From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4758	0406	Cheese and curd (2)	Free	2 000	200

F. **Products originating in Bulgaria**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Annual quantities (tonnes)	
				From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4660	0406	Cheese and curd (2)	Free	5 500	300

G. **Products originating in Estonia**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Annual quantities (tonnes)	
				From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4578	0401 30	Cream, of a fat content, by weight, exceeding 6 %	Free	500	150
09.4546	0402 10 19 0402 21 19	Skimmed milk powder Whole milk powder	Free	10 000	3 000
09.4579	0403 10 11 0403 10 13 0403 10 19	Yoghurt, not flavoured	Free	300	90
09.4580	0403 90 59 0403 90 61 0403 90 63 0403 90 69	Milk and cream, fermented or acidified	Free	700	210
09.4547	0405 10 11 0405 10 19	Butter	Free	3 000	900
09.4581 09.4582	ex 0406 ex 0406 10	Cheese, not including curd Curd	Free Free	2 000 700	600 210

H. **Products originating in Latvia**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Annual quantities (tonnes)	
				From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4549	0402 10 19 0402 21 19	Skimmed milk powder Whole milk powder	Free	4 000	400
09.4550	0402 29	Whole milk powder, sweetened	20	250	0
09.4551	0405 10	Butter	Free	1 875	190
09.4552	0406	Cheese and curd (2)	Free	3 000	300

I. **Products originating in Lithuania**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Quantity for the period from 1.1.2001 to 30.6.2001	Annual quantities (tonnes)	
					From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4554	0402 10 19 0402 21 19	Skimmed milk powder Whole milk powder	Free	2 500	5 500	500
09.4567	0402 99 11	Milk and cream, condensed, sweetened	20	300	300	—
09.4556	0405 10 11 0405 10 19	Butter	Free	875	1 925	175
09.4557	0406	Cheese and curd (2)	Free	3 000	6 600	600

K. **Products originating in Slovenia**

Serial number	CN code	Description (1)	Duty applicable (% of MFN)	Annual quantities (tonnes)	
				From 1.7.2000 to 30.6.2001	Annual increase from 1.7.2001
09.4086	0402 10 0402 21	Skimmed milk powder Whole milk powder	20	1 400	1 500
09.4087	0403 10	Yoghurts	20	700	750
09.4088	0406 90	Other cheeses	20	420	450

(1) Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, for the purposes of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) This concession is applicable only to products not benefiting from any kind of export subsidy.'

ANNEX II

'ANNEX IV

Total quantity in tonnes available for 1 January to 30 June 2001

Country	Poland			Czech Republic			Slovak Republic			Hungary		Romania
CN codes and	0402 10 19 0402 21 19 0402 21 99	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 20 90	0406	0402 10 19 0402 21 19 0402 21 91	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 20 90	0406	0402 10 19 0402 21 19 0402 21 91	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 20 90	0406	0402 10	0406	0406
serial number	09.4813	09.4814	09.4815	09.4611	09.4612	09.4613	09.4611	09.4612	09.4613	09.4731	09.4733	09.4758
Available quantity	6 875	5 125	8 750	1 437,5	625	4 198,1	750	375	1 500,1	189,3	2 309,3	1 062,5

Country	Bulgaria	Slovenia			Republic of Estonia						
CN codes and	0406	0402 10 0402 21	0403 10	0406 90	0401 30	0402 10 19 0402 21 19	0403 10 11 0403 10 13 0403 10 19	0403 90 59 0403 90 61 0403 90 63 0403 90 69	0405 10 11 0405 10 19	ex 0406	ex 0406 10
serial number	09.4660	09.4086	09.4087	09.4088	09.4578	09.4546	09.4579	09.4580	09.4547	09.4581	09.4582
Available quantity	5 500	700	350	210	250	5 000	300	350	1 500	1 000	350

Country	Republic of Latvia				Republic of Lithuania			
CN codes and	0402 10 19 0402 21 19	0402 29	0405 10	0406	0402 10 19 0402 21 19	0402 99 11	0405 10 11 0405 10 19	0406
serial number	09.4549	09.4550	09.4551	09.4552	09.4554	09.4567	09.4556	09.4557
Available quantity	2 448,4	250	1 342,1	2 344	2 500	300	875	3 000'