

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(91) 319 final

Brussels, 6 September 1991

Proposal for a

## COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2658/87 on the tariff statistical nomenclature and the Common Customs Tariff and Regulation (EEC) No 2915/79 determining the groups of products and the special provisions for calculating levies on milk and milk products

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Customs Cooperation Council has decided to group all fresh cheeses, fermented and unfermented, in CN code 0406 10 with effect from 1 January 1992.

As a result codes 0406 90 71, 0406 90 91 and 0406 90 97 will have to be deleted from the combined nomenclature and from Regulation (EEC) No 2915/79 (milk product levies).

DG XXI proposes to use the opportunity to revise the classification of salted ricotta, which is also a fresh cheese, by grouping it in the same heading, 0406 10, and deleting CN code 0406 90 83 (current ricotta heading). In view of the negligible amount of trade in this cheese (2% of exported fresh cheeses and 0% imported) it has been decided not to mention it in the combined nomenclature. This does not prevent DG VI from specifying it in the refund nomenclature.

Proposal for

COUNCIL REGULATION (EEC) No        /91  
of

amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff and Regulation (EEC) No 2915/79 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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products,<sup>1</sup> as last amended by Regulation (EEC) No 1630/91,<sup>2</sup> and in particular Article 14(6) thereof,

Having regard to the proposal from the Commission,

Whereas the distinction between fresh cheeses in CN code 0406 according to whether they are fermented or not gives rise to monitoring problems; whereas the Customs Cooperation Council has recommended that all fresh cheeses be regrouped under CN code 0406 10; whereas, therefore, Regulation (EEC) No 2915/79,<sup>3</sup> as last amended by Regulation (EEC) No 3116/90,<sup>4</sup> should be amended and Regulation (EEC) No 2658/87,<sup>5</sup> as last amended by Regulation (EEC) No        /        ,<sup>6</sup> should be adapted accordingly; whereas also the opportunity should be used to review the classification of certain products,

HAS ADOPTED THIS REGULATION:

Article 1

The combined nomenclature annexed to Regulation (EEC) No 2658/87 is hereby amended in accordance with the Annex to this Regulation.

1 OJ No L 148, 28.6.1968, p. 13.

2 OJ No L 150, 15.6.1991, p. 19.

3 OJ No L 329, 24.12.1979, p. 1.

4 OJ No L 303, 31.10.1990, p. 1.

5 OJ No L 256, 7.9.1987, p. 1.

6 OJ No L        ,        , p.

Article 2

Regulation (EEC) No 2915/79 is hereby amended as follows:

1) Article 7 is amended as follows:

- The first sentence of paragraph 1 is replaced by the following:
  - "1) if it falls within subheadings 0406 10 20 and 0406 90 93 of the combined nomenclature, to the sum of the following components:"
- The first sentence of paragraph 2 is replaced by the following:
  - "2) if it falls within subheadings 0406 10 80 and 0406 90 99 of the combined nomenclature, to the sum of the following components:"

2) In the Annex, the product groups in Group 11 are replaced by the following groups:

"

Number of group	Groups of products according to the combined nomenclature	Pilot product for each group of products
11	0406 10 0406 30 0406 90 23 0406 90 25 0406 90 27 0406 90 29 0406 90 31 0406 90 33 0406 90 35 0406 90 37 0406 90 39 0406 90 50 0406 90 73 0406 90 75 0406 90 77 0406 90 79 0406 90 81 0406 90 85 0406 90 89 0406 90 93 0406 90 99	Whole cheese, having matured for six to eight weeks, with a fat content of 45% by weight in the dry matter, without packaging

Article 3

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels,

For the Council

ANNEX

CN Code	Description	Rate of duty		
		autonomous (%) or levy (AGR)	convent- ional (%)	Supplement- ary unit
1	2	3	4	5
0406	Cheese and curd :			
0406 10	- Fresh cheese (unrefined) including whey cheese, and curd			
0406 10 20	-- of a fat content, by weight, not exceeding 40%	23 (AGR)	-	-
0406 10 80	-- other	23 (AGR)	-	-
0406 20	} unchanged			
to				
0406 90 50	} other :			
	-- of a fat content, by weight, not exceeding 40% and a water content, by weight, in the non-fatty matter :			
	-- not exceeding 47%:			
0406 90 61	----- Grana padano, Parmigiano Reggiano	23 (AGR)	-	-
0406 90 63	----- Fiore sardo, Pecorino	23 (AGR)	-	-
0406 90 69	----- other	23 (AGR)	-	-
	----- exceeding 47% but not exceeding 72%:			
0406 90 73	----- Provolone	23 (AGR)	-	-
0406 90 75	----- Asiago, Caciocavallo, Montasio, Ragusano	23 (AGR)	-	-
0406 90 77	----- Danbo, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø	23 (AGR)	-	-
0406 90 79	----- Esrom, Italico, Kernhem, Saint-Nectaire, Saint- Paulin, Taleggio	23 (AGR)	-	-
0406 90 81	----- Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	23 (AGR)	-	-
0406 90 85	----- Kefalograviera, Kasserli	23 (AGR)	-	-
0406 90 89	----- other	23 (AGR)	-	-
0406 90 93	----- exceeding 72% :	23 (AGR)	-	-
0406 90 99	----- other :	23 (AGR)	-	-

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# DOCUMENTS

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