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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 921/81

of 3 April 1981

fixing the import levies on milk and milk products

THE COMMISSION 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 the Act of Accession of Greece ⁽²⁾, and in particular Article 14 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 853/81 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1981/82 milk year by Council Regulation (EEC) No 852/81 of 1 April 1981 ⁽⁵⁾;

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products

are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 7 of that Regulation respectively; whereas this method consists in adding together the various components defined in those Articles;

Whereas Commission Regulation (EEC) No 1073/68 of 24 July 1968 laying down detailed rules for determining free-at-frontier prices and for fixing levies in respect of milk and milk products ⁽⁶⁾, provides that the component of the levy fixed by means of a coefficient expressing the weight ratio between the milk powder contained in the product and the product itself is, for the products falling within subheading 04.02 B I b) listed in Annex II to Regulation (EEC) No 2915/79, calculated by multiplying the basic amount by the quantity of milk powder contained in the product; whereas the same applies to products falling within subheading 04.02 B II b) as regards the component of the levy fixed by means of a coefficient expressing the weight ratio between the milk components contained in the product and the product itself;

Whereas the basic amount must be equal to one hundredth part of the levy set out for each product in the second subparagraph of Article 9 (1) and the second subparagraph of Article 9 (2) of Regulation (EEC) No 1073/68;

Whereas, for products of Group No 11, originating in and coming from third countries, for which it is found on importation into the Community that the ruling price is not less than 201.34 ECU per 100 kilograms for products falling within subheading 04.04 E I b) 2, or not less than 213.43 ECU per 100 kilograms for products falling within subheading 04.04 E I b) 3, or not less than 195.30 ECU per 100 kilograms for products falling within subheading 04.04 E I b) 4, the levy per 100 kilograms is defined in Article 11 of Regulation (EEC) No 2915/79;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 90, 4. 4. 1981.

⁽⁵⁾ OJ No L 90, 4. 4. 1981.

⁽⁶⁾ OJ No L 180, 26. 7. 1968, p. 25.

Whereas, within the tariff quotas referred to in Article 9 (2) of Regulation (EEC) No 2915/79, the levy on 100 kilograms of a product of Group 10 or 11 and falling within subheadings 04.04 E I b) 1 (aa), 04.04 E I b) 1 (bb), 04.04 E I b) 1 (cc) and 04.04 E I b) 5 (aa) shall be equal to 12.09 ECU ;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components :

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community ;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding ;

Whereas Regulation (EEC) No 1073/68 provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79 ; whereas these prices must be determined for products of good marketable quality ;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 (a) 2 and (b) to (g) of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products ; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets ;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market ;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality ; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product ; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question ; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account ;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields ;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends ;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff ;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight ; whereas they may be altered in the intervening period if necessary ; whereas the levy remains valid until another becomes applicable ;

Whereas, if the levy system is to operate normally, refunds should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas it follows from applying these provisions that the levies on milk and milk products should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 14 (1) of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 April 1981.

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

Done at Brussels, 3 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 3 April 1981 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Description	Code	Import levy
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	A. Of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less	0110	21.88
	b) Other	0120	19.47
	II. Other :		
	a) In immediate packings of a net capacity of two litres or less, and of a fat content, by weight :		
	1. Not exceeding 4 %	0130	19.47
	2. Exceeding 4 %	0140	24.23
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 %	0150	18.26
	2. Exceeding 4 %	0160	23.02
	B. Other, of a fat content, by weight :		
	I. Exceeding 6 % but not exceeding 21 %	0200	52.05
	II. Exceeding 21 % but not exceeding 45 %	0300	110.10
	III. Exceeding 45 %	0400	170.15
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	I. Whey	0500	16.99
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620	80.50
	2. Exceeding 1.5 % but not exceeding 27 %	0720	142.01
	3. Exceeding 27 % but not exceeding 29 %	0820	144.43
	4. Exceeding 29 %	0920	157.88
	b) Other, of a fat content, by weight :		
	1. Not exceeding 1.5 %	1020	73.25
	2. Exceeding 1.5 % but not exceeding 27 %	1120	134.76
	3. Exceeding 27 % but not exceeding 29 %	1220	137.18
	4. Exceeding 29 %	1320	150.63

CCT heading No	Description	Code	Import levy
04.02 (cont'd)	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight, not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8.9 %	1420	34.79
	2. Other	1520	46.97
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 %	1620	110.10
	2. Exceeding 45 %	1720	170.15
	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	a) Special milk for infants ⁽¹⁾ , in hermetically sealed containers of a net capacity of 500 g or less and of a fat content, by weight, exceeding 10 % but not exceeding 27 % ⁽²⁾	1820	36.27
	b) Other :		
	1. In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 % ⁽¹⁾	2220	0.7325 ⁽¹¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % ⁽¹⁾	2320	1.3476 ⁽¹¹⁾ per kg
	cc) Exceeding 27 % ⁽¹⁾	2420	1.5063 ⁽¹¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 % ⁽¹⁾	2520	0.7325 ⁽¹²⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % ⁽¹⁾	2620	1.3476 ⁽¹²⁾ per kg
	cc) Exceeding 27 % ⁽¹⁾	2720	1.5063 ⁽¹²⁾ per kg
	II. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight, not exceeding 9.5 %	2820	52.92
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % ⁽¹⁾	2910	1.1010 ⁽¹²⁾ per kg
	2. Exceeding 45 % ⁽¹⁾	3010	1.7015 ⁽¹²⁾ per kg
04.03	Butter :		
	A. Of a fat content, by weight, not exceeding 85 %	3110	200.18
	B. Other	3210	244.22
04.04	Cheese and curd :		
	A. Emmentaler, Gruyère, Sbrinz, Bergkäse, Appenzell, Vacherin fribourgeois and Tête de moine, not grated or powdered :		
	I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least two months in the case of Vacherin fribourgeois and at least three months in the case of the others ⁽²⁾ :		
	a) Whole cheeses ⁽⁴⁾ of a free-at-frontier value ⁽¹⁾ per 100 kg net weight of :		
	1. 312.76 ECU or more, but less than 336.94 ECU	3321	18.13
	2. 336.94 ECU or more	3420	191.12 ⁽¹³⁾

CCT heading No	Description	Code	Import levy
04.04 (cont'd)	b) Pieces packed in vacuum or in inert gas :		
	1. With rind on at least one side, of a net weight :		
	aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value ⁽¹⁾ of not less than 336.94 ECU but less than 361.12 ECU per 100 kg net weight	3521	18.13
	bb) Not less than 1 kg and of a free-at-frontier value ⁽¹⁾ of not less than 361.12 ECU per 100 kg net weight	3619	191.12 ⁽¹³⁾
	2. Other, of a net weight less than 450 g and of a free-at-frontier value ⁽¹⁾ of not less than 394.97 ECU per 100 kg net weight	3719	191.12 ⁽¹³⁾
	II. Other	3800	191.12
	B. Glaucus herb cheese (known as Schabziger), made from skimmed milk and mixed with finely-ground herbs ⁽²⁾	3900	204.65 ⁽¹⁴⁾
	C. Blue-veined cheese, not grated or powdered	4000	189.34
	D. Processed cheese, not grated or powdered :		
	I. In the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glaucus herb cheese (known as Schabziger), put up for retail sale ⁽²⁾ , of a free-at-frontier value ⁽¹⁾ of not less than 218.00 ECU per 100 kg net weight and of a fat content, by weight, in the dry matter, not exceeding 56 % ⁽²⁾	4120	36.27
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	1. Not exceeding 48 %	4410	173.76
	2. Exceeding 48 %	4510	173.88
	b) Exceeding 36 %	4610	270.60
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight of the non-fatty matter :		
	a) Not exceeding 47 %	4710	204.65
	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar :		
	(aa) 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 ⁽²⁾ :		
	(11) Whole cheeses ⁽⁴⁾ of a free-at-frontier value ⁽¹⁾ of not less than 247.62 ECU per 100 kg net weight ⁽⁶⁾	4840	213.42 ⁽¹⁹⁾

CCT heading No	Description	Code	Import levy
04.04 (cont'd)	(22) Other, of a net weight :		
	(aaa) Of not less than 500 g and of a free-at-frontier value ⁽¹⁾ of not less than 265.76 ECU per 100 kg net weight ⁽⁸⁾	4850	213.42 ⁽¹⁹⁾
	(bbb) Of less than 500 g ⁽⁶⁾ and of a free-at-frontier value ⁽¹⁾ of not less than 277.85 ECU per 100 kg net weight ⁽⁸⁾	4860	213.42 ⁽¹⁹⁾
	(bb) Whole Cheddar cheeses ⁽⁴⁾ of a minimum fat content of 50 % by weight, in the dry matter, matured for at least three months and of a free-at-frontier value ⁽¹⁾ of not less than 241.58 ECU per 100 kg net weight ⁽²⁾ ⁽⁸⁾	4870	213.42 ⁽¹⁹⁾
	(cc) Cheddar for processing ⁽¹⁾ of a free-at-frontier value ⁽¹⁾ of not less than 217.40 ECU per 100 kg net weight ⁽²⁾ ⁽⁸⁾	4880	213.42 ⁽¹⁹⁾
	(dd) Other	4890	213.42
	2. Tilsit and Butterkäse, of a fat content, by weight, in the dry matter ⁽²⁾ :		
	aa) Not exceeding 48 %	4922	189.58 ⁽¹⁵⁾
	bb) Exceeding 48 %	5022	189.58 ⁽¹⁶⁾
	3. Kashkaval ⁽²⁾	5030	189.58 ⁽¹⁷⁾
	4. Cheese of sheep's milk or buffalo milk, in containers containing brine, or in sheepskin or goatskin bottles ⁽²⁾	5060	189.58 ⁽¹⁷⁾
	5. Other :		
	(aa) For processing ⁽¹⁾ of a free-at-frontier value ⁽¹⁾ of not less than 217.40 ECU per 100 kg net weight ⁽²⁾ ⁽⁸⁾	5130	189.58 ⁽¹⁹⁾
	(bb) Other	5140	189.58
	c) Exceeding 72 % :		
	1. In immediate packings of a net capacity not exceeding 500 g	5210	142.19
	2. Other	5250	286.30
	II. Other :		
	a) Grated or powdered	5310	204.65
	b) Other	5410	286.30
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	A. Lactose and lactose syrup :		
	II. Other (than those containing, in the dry state, 99 % or more by weight of the pure product) ⁽¹⁸⁾	5500	36.59
21.07	F. Flavoured or coloured sugar syrups :		
	I. Lactose syrup	5600	36.59

CCT heading No	Description	Code	Import levy
23.07	Sweetened forage ; other preparations of a kind used in animal feeding :		
	B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 21.07 F II, or milk products ⁽¹⁰⁾ :		
	I. Containing starch or glucose or glucose syrup :		
	a) Containing no starch or containing 10 % or less by weight of starch :		
	1. ...		
	2. ...		
	3. Containing not less than 50 % but not more than 75 % by weight of milk products	5700	57.36
	4. Containing not less than 75 % by weight of milk products	5800	74.21
	b) Containing more than 10 % but not more than 30 % by weight of starch :		
	1. ...		
	2. ...		
	3. Containing not less than 50 % by weight of milk products	5900	69.36
	c) Exceeding 30 % :		
	1. ...		
	2. ...		
	3. Containing 50 % or more by weight of milk products	6000	56.87
	II. Containing no starch, glucose or glucose syrup, but containing milk products	6100	74.21

- (1) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic and toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (2) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (3) In calculating the fat content the weight of any added sugar shall be disregarded.
- (4) (a) 'Whole cheeses' means whole cheeses of the conventional flat cylindrical shape having the following net weights :
— Emmentaler : not less than 60 kg but not more than 130 kg inclusive,
— Gruyère and Sbrinz : not less than 20 kg but not more than 45 kg inclusive,
— Bergkäse : not less than 20 kg but not more than 60 kg inclusive,
— Appenzell : not less than 6 kg but not more than 8 kg inclusive,
— Vacherin fribourgeois : not less than 6 kg but not more than 10 kg inclusive,
— Tête de moine : not less than 0.700 kg but not more than 4 kg inclusive.
- (b) 'Whole Cheddar cheeses' means :
— whole cheeses of the conventional flat cylindrical shape of a net weight of not less than 33 kg but not more than 44 kg,
— cheeses of the conventional flat cylindrical shape or cheeses in parallelepiped shape, of a net weight of 10 kg or more.
- (5) 'Free-at-frontier value' means : the free-at-frontier price or fob price in the country of exportation, plus a fixed amount to be determined in respect of the customs territory of the Community.
- (6) This tariff subheading number shall be taken to apply only to goods, the packings of which bear at least the following particulars :
— the name of the cheese,
— the fat content by weight referred to dry matter,
— the packer responsible,
— the country of origin of the cheese.
- (7) For the purposes of this subheading, the expression 'put up for retail sale' shall be taken to apply to cheese put up in immediate packings of a net weight not exceeding 1 kg containing portions or slices of an individual net weight not exceeding 100 g.
- (8) The value limits are adjusted automatically in line with the factors determining the price of Cheddar in the Community. This adjustment consists of an increase or reduction equal to any increase or reduction in the threshold price for Cheddar in the Community by 100 kg net weight.
- (9) The relevant Community provisions are applied to ensure that it is used for that particular purpose.
- (10) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
- (11) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
(a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
(b) 7.25 ECU ; and
(c) 0.42 ECU.
- (12) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
(a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ; and
(b) 0.42 ECU.
- (13) The levy is limited to 9.07 ECU per 100 kg net weight.
- (14) The levy on 100 kg net weight is limited to 6 % of the value for customs purposes.
- (15) The levy is limited to 75.33 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).
- (16) The levy is limited to 99.51 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).
- (17) The levy is limited to 63.24 ECU per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).
- (18) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (19) Within the tariff quotas referred to in Article 9 (2) of Regulation (EEC) No 2915/79 the levy on 100 kg net weight shall be equal to 12.09 ECU.

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the ECU referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I, of the Common Customs Tariff, be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the ECU and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 922/81

of 3 April 1981

fixing the export refunds on milk and milk products

THE COMMISSION 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 the Act of Accession of Greece ⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as amended by Regulation (EEC) No 2429/72 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 242/80 ⁽⁶⁾, provides that the refund on products falling within subheading 04.02 B is equal to the sum of two components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 27, 2. 2. 1980, p. 27.

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5 % by weight, the first component referred to above is fixed for 100 kilograms of the whole product; whereas, for the other products falling within subheading 04.02 B, this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on one kilogram of milk products contained in the product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 3455/80⁽²⁾;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas the special conditions concerning the payment of the refund for skimmed-milk powder for use as feed in the country of destination were laid down in Regulation (EEC) No 2054/76⁽³⁾, as last amended by Regulation (EEC) No 2949/78⁽⁴⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04;

Whereas it follows from applying these detailed rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be as set out in the Annex hereto;

Whereas 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

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex hereto.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 6 April 1981.

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

Done at Brussels, 3 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 17.

⁽³⁾ OJ No L 228, 20. 8. 1976, p. 17.

⁽⁴⁾ OJ No L 351, 15. 12. 1978, p. 26.

ANNEX

to the Commission Regulation of 3 April 1981 fixing the export refunds on milk and milk products

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % (1) :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less :		
	(1) Of a fat content, by weight, not exceeding 1.5 %	0110 05	1.50
	(2) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0110 15	5.00
	(3) Of a fat content, by weight, exceeding 3 %	0110 20	6.64
	b) Other :		
	(1) Of a fat content, by weight, not exceeding 1.5 %	0110 25	1.50
	(2) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0110 35	5.00
	(3) Of a fat content, by weight, exceeding 3 %	0110 40	6.64
	II. Other :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0130 10	1.50
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	5.00
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	6.64
	2. Exceeding 4 %	0140 00	7.73
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0150 10	1.50
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0150 21	5.00
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	6.64
	2. Exceeding 4 %	0160 00	7.73
	ex B. Other, excluding whey, of a fat content, by weight (1) :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) Of a fat content, by weight, not exceeding 10 %	0200 05	10.70
	(b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	16.58
	(c) Of a fat content, by weight, exceeding 17 %	0200 21	25.00
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) Of a fat content, by weight, not exceeding 35 %	0300 12	
	for exports to :		
	— Zone C 2		—
	— Other destinations		29.80
	(b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 %	0300 13	
	for exports to :		
	— Zone C 2		—
	— Other destinations		46.62
	(c) Of a fat content, by weight, exceeding 39 %	0300 20	
	for exports to :		
	— Zone C 2		—
	— Other destinations		51.43

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01 (cont'd)	III. More than 45 % :		
	(a) Of a fat content, by weight, not exceeding 68 % for exports to : — Zone C 2 — Other destinations	0400 11	— 58.64
	(b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % for exports to : — Zone C 2 — Other destinations	0400 22	— 86.28
	(c) Of a fat content, by weight, exceeding 80 % for exports to : — Zone C 2 — Other destinations	0400 30	— 100.70
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar ⁽²⁾ :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620 00	37.00
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	37.00
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	56.80
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	62.57
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	70.00
	3. Exceeding 27 % but not exceeding 29 %	0820 00	70.00
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	73.39
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	0920 30	83.29
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	0920 40	86.03
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	0920 50	97.18
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	0920 60	105.19
	(ff) Of a fat content, by weight, exceeding 79 %	0920 70	113.21
	b) Other, of a fat weight content :		
	1. Not exceeding 1.5 %	1020 00	37.00
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	37.00
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	56.80
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	62.57
	(dd) Of a fat content, by weight, exceeding 25 % for exports to : — Poland — Other destinations	1120 40	90.00 70.00

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	3. Exceeding 27 % but not exceeding 29 %	1220 00	70-00
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	73-39
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	1320 30	83-29
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	1320 40	86-03
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	1320 50	97-18
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	1320 60	105-19
	(ff) Of a fat content, by weight, exceeding 79 %	1320 70	113-21
	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net content of 2.5 kg or less and of a non-fat content by weight not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 12	—
	(22) Exceeding 3 %, by weight	1420 22	6-64
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7.4 %	1420 60	14-10
	(33) Exceeding 7.4 %	1420 70	19-14
	2. Other, of a non fat lactic dry matter content :		
	(aa) Of less than 15 %, by weight	1520 10	14-18
	(bb) Of 15 % or more, by weight	1520 20	22-70
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1620 70	—
	(22) Exceeding 3 %, by weight, but not exceeding 8.9 %	1630 00	6-64
	(33) Exceeding 8.9 %, by weight, but not exceeding 11 %	1630 10	14-18
	(44) Exceeding 11 %, by weight, but not exceeding 21 %	1630 20	17-78
	(55) Exceeding 21 %, by weight, but not exceeding 39 %	1630 30	
	for exports to :		
	— Zone C 2		—
	— Other destinations		29-80
	(66) Exceeding 39 %	1630 40	
	for exports to :		
	— Zone C 2		—
	— Other destinations		51-43

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1630 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7.4 %	1630 60	14.10
	(33) Exceeding 7.4 %, by weight, but not exceeding 8.9 %	1630 70	19.14
	(44) Exceeding 8.9 %	1630 80	22.70
	2. Exceeding 45 %	1720 00	
	for exports to :		
	— Zone C 2		—
	— Other destinations		58.64
	B. Containing added sugar :		
	1. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	2. In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2220 00	0.3700 (*) per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0.3700 (*) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.5680 (*) per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.6257 (*) per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	0.7000 (*) per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	0.7000 (*) per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	0.8329 (*) per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.3700 (*) per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.3700 (*) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.5680 (*) per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.6257 (*) per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.7000 (*) per kg

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 % ex II. Milk and cream, excluding whey other than in powder or granules : ex a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content by weight not exceeding 9.5 % : (1) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 % by weight (bb) Of 15 % or more (2) Of a fat content, by weight, exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more (bb) Of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more (cc) Of a fat content by weight, exceeding 9.5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 % (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % for exports to : — Zone C 2 — Other destinations (ee) Of a fat content, by weight, exceeding 39 % for exports to : — Zone C 2 — Other destinations 2. Exceeding 45 % for exports to : — Zone C 2 — Other destinations	2720 10 2720 20 2810 11 2810 12 2810 15 2810 20 2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	0.7000 (*) per kg 0.8329 (*) per kg — (*) per kg 0.0664 (*) per kg 11.58 (*) 23.47 (*) 11.58 (*) 23.47 (*) 0.1538 (*) per kg 0.2980 (*) per kg 0.5143 (*) per kg 0.5864 (*) per kg
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) Of a fat content, by weight, of 62 % or more, but less than 78 % For exports to : — Zone C 1 — Zone C 2 — Other destinations	3110 03	79.39 — 79.39

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(II) Of a fat content, by weight, of 78 % or more but less than 80 % For exports to : — Zone C 1 — Zone C 2 — Other destinations	3110 16	99-88 — 99-88
	(III) Of a fat content, by weight, of 80 % or more, but less than 82 % For exports to : — Zone C 1 — Zone C 2 — Other destinations	3110 22	102-44 — 102-44
	(IV) Of a fat content, by weight, of 82 % or more For exports to : — Zone C 1 — Zone C 2 — Other destinations	3110 32	105-00 — 105-00
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 % For exports to : — Zone C 1 — Zone C 2 — Other destinations	3210 10	105-00 — 105-00
	(II) Exceeding 99.5 % For exports to : — Zone C 1 — Zone C 2 — Other destinations	3210 20	145-00 — 145-00
04.04	Cheese and curd ⁽⁶⁾ :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other :		
	(1) Pieces packed in vacuum or in inert gas, of a net weight of less than 7.5 kg For exports to : — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Liechtenstein and Switzerland — Austria — Other destinations	3800 40	27-40 42-47 71-84 — 23-03 100-73
	(2) Other For exports to : — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Liechtenstein and Switzerland — Austria — Other destinations	3800 60	27-40 — 71-84 — 23-03 100-73
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Other destinations	4000 00	16-91 60-43 33-15 50-73 82-79

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	D. Processed cheese, not grated or powdered : II. Other, of a fat content, by weight : a) Not exceeding 36 % and of a fat content, by weight, in the dry matter : ex 1. Not exceeding 48 % and of a dry matter content, by weight : (aa) Of 27 % or more but less than 33 % for exports to : — Austria 2-08 — Zone D, Ceuta, Melilla and Andorra 3-26 — Zone E 4-22 — Canada 4-57 — Switzerland 2-51 — Other destinations 12-46 (bb) Of 33 % or more but less than 38 % for exports to : — Austria 4-47 — Zone D, Ceuta, Melilla and Andorra 8-32 — Zone E 10-64 — Canada 11-85 — Switzerland 6-41 — Other destinations 31-02 (cc) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter : (11) Less than 20 % for exports to : — Austria 4-47 — Zone D, Ceuta, Melilla and Andorra 8-32 — Zone E 10-64 — Canada 11-85 — Switzerland 6-41 — Other destinations 31-02 (22) Of 20 % or more for exports to : — Austria 6-60 — Zone D, Ceuta, Melilla and Andorra 12-31 — Zone E 15-73 — Canada 17-53 — Switzerland 9-48 — Other destinations 45-89 (dd) Of 43 % or more and of a fat content, by weight, in the dry matter : (11) Less than 20 % for exports to : — Austria 4-47 — Zone D, Ceuta, Melilla and Andorra 8-32 — Zone E 10-64 — Canada 11-85 — Switzerland 6-41 — Other destinations 31-02	4410 05 4410 10 4410 20 4410 30 4410 40	

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more but less than 40 % for exports to :	4410 50	
	— Austria		6.60
	— Zone D, Ceuta, Melilla and Andorra		12.31
	— Zone E		15.73
	— Canada		17.53
	— Switzerland		9.48
	— Other destinations		45.89
	(33) Of 40 % or more for exports to :	4410 60	
	— Austria		9.67
	— Zone D, Ceuta, Melilla and Andorra		17.99
	— Zone E		22.98
	— Canada		25.63
	— Switzerland		13.83
	— Other destinations		66.96
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 % for exports to :	4510 10	
	— Austria		4.47
	— Zone D, Ceuta, Melilla and Andorra		8.32
	— Zone E		10.64
	— Canada		11.85
	— Switzerland		6.41
	— Other destinations		31.02
	(bb) Of 38 % or more but less than 43 % for exports to :	4510 20	
	— Austria		6.60
	— Zone D, Ceuta, Melilla and Andorra		12.31
	— Zone E		15.73
	— Canada		17.53
	— Switzerland		9.48
	— Other destinations		45.89
	(cc) Of 43 % or more but less than 46 % for exports to :	4510 30	
	— Austria		9.67
	— Zone D, Ceuta, Melilla and Andorra		17.99
	— Zone E		22.98
	— Canada		25.63
	— Switzerland		13.83
	— Other destinations		66.96
	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 55 % for exports to :	4510 40	
	— Austria		9.67
	— Zone D, Ceuta, Melilla and Andorra		17.99
	— Zone E		22.98
	— Canada		25.63
	— Switzerland		13.83
	— Other destinations		66.96

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 55 % or more	4510 50	
	for exports to :		
	— Austria		11.46
	— Zone D, Ceuta, Melilla and Andorra		21.34
	— Zone E		27.26
	— Canada		30.41
	— Switzerland		16.42
	— Other destinations		79.44
	b) Exceeding 36 %	4610 00	
	for exports to :		
	— Austria		11.46
	— Zone D, Ceuta, Melilla and Andorra		21.34
	— Zone E		27.26
	— Canada		30.41
	— Switzerland		16.42
	— Other destinations		79.44
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana Padano, Parmigiano Reggiano	4710 11	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		124.00
	— Zone E		124.00
	— Canada		124.00
	— Switzerland		110.79
	— Other destinations		124.00
	(2) Fiore Sardo, Pecorino	4710 16	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		150.32
	— Zone E		120.00
	— Canada		126.65
	— Switzerland		121.22
	— Other destinations		150.32
	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more	4710 22	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		90.00
	— Zone E		80.00
	— Canada		90.00
	— Switzerland		80.00
	— Other destinations		90.00
	b) Exceeding 47 % but not exceeding 72 % :		
	ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Austria		16.02
	— Zone D, Ceuta, Melilla and Andorra		25.16
	— Zone E		40.17
	— Canada		46.30
	— Switzerland		19.34
	— Other destinations		93.63

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex 5. Other, of a fat content, by weight, in the dry matter :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 12	
	for exports to :		
	— Austria		7-62
	— Zone D, Ceuta, Melilla and Andorra		14-21
	— Zone E		18-40
	— Canada		19-94
	— Switzerland		4-82
	— Other destinations		39-71
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 16	
	for exports to :		
	— Austria		8-84
	— Zone D, Ceuta, Melilla and Andorra		16-48
	— Zone E		21-25
	— Canada		23-25
	— Switzerland		5-32
	— Other destinations		62-42
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey)	5120 22	
	for exports to :		
	— Austria		10-65
	— Zone D, Ceuta, Melilla and Andorra		19-83
	— Zone E		25-45
	— Canada		28-10
	— Switzerland		5-72
	— Other destinations		74-40
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Provolone, Ragusano	5120 31	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		38-07
	— Zone E		124-00
	— Canada		124-00
	— Switzerland		42-66
	— Other destinations		124-00
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		24-76
	— Zone D, Ceuta, Melilla and Andorra		38-07
	— Zone E		30-00
	— Canada		54-11
	— Switzerland		4-19
	— Other destinations		85-81

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio for exports to:	5120 54	
	— Austria		42.29
	— Zone D, Ceuta, Melilla and Andorra		38.07
	— Zone E		25.43
	— Canada		48.14
	— Switzerland		4.19
	— Other destinations		74.17
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney for exports to:	5120 58	
	— Austria		16.02
	— Zone D, Ceuta, Melilla and Andorra		25.16
	— Zone E		40.17
	— Canada		46.30
	— Switzerland		19.34
	— Other destinations		87.56
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more for exports to:	5120 59	
	— Zone E		13.98
	— Canada		21.76
	— Other destinations	5120 82	40.37
	(66) Feta for exports to:		
	— Zone D, Ceuta, Melilla and Andorra		18.72 (?)
	— Zone E		23.91 (?)
	— Canada		45.08 (?)
	— Switzerland		14.51 (?)
	— Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		76.25 (?)
	— Other destinations		70.00 (?)
	(77) Colby, Monterey for exports to:	5120 83	
	— Austria		16.02
	— Zone D, Ceuta, Melilla and Andorra		25.16
	— Zone E		30.05
	— Canada		52.90
	— Switzerland		19.34
	— Other destinations		87.56
	(88) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter:	5120 87	
	(aaa) Exceeding 47 % but not exceeding 52 % for exports to:		
	— Austria		16.02
	— Zone D, Ceuta, Melilla and Andorra		25.16
	— Switzerland		19.34
	— Zone E		40.17
	— Canada		46.30
	— Other destinations		87.56

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bbb) Exceeding 52 % but not exceeding 62 %	5120 92	
	for exports to :		
	— Austria		24-76
	— Zone D, Ceuta, Melilla and Andorra		38-07
	— Zone E		30-00
	— Canada		54-11
	— Switzerland		4-19
	— Other destinations		85-81
	ex (c) Exceeding 72 % (excluding cheeses produced from whey) :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 11	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Switzerland and Liechtenstein		—
	— Other destinations		10-45
	(bb) Cream cheese of a water content, calculated by weight, of the non-fatty matter, exceeding 77 % but not exceeding 81 % and of a fat content, by weight in the dry matter :		
	(11) Of 60 % or more but less than 70 %	5121 20	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Switzerland and Liechtenstein		—
	— Other destinations		18-37
	(22) Of 70 % or more	5121 30	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Switzerland and Liechtenstein		—
	— Other destinations		23-18
	(cc) Other	5121 40	—
	2. Other :		
	(aa) Cottage cheese	5121 50	—
	(bb) Cream cheese of a water content, calculated by weight of the non-fatty matter, exceeding 77 % but not exceeding 81 % and of a fat content, by weight in the dry matter :		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(11) Of 60 % or more but less than 70 % For exports to : — Austria — — Zone D, Ceuta, Melilla and Andorra — — Zone E — — Canada — — Switzerland and Liechtenstein — — Other destinations 18.37 (22) Of 70 % or more For exports to : — Austria — — Zone D, Ceuta, Melilla and Andorra — — Zone E — — Canada — — Switzerland and Liechtenstein — — Other destinations 23.18 (cc) Other 5121 80 — ex II. Other (excluding cheeses produced from whey): ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight : (1) Of 60 % or more but less than 80 % For exports to : — Zone E 19.28 — Canada 28.51 — Other destinations 48.31 (2) Of 80 % or more but less than 85 % For exports to : — Zone E 25.71 — Canada 38.02 — Other destinations 64.41 (3) Of 85 % or more but less than 95 % For exports to : — Zone E 27.31 — Canada 40.38 — Other destinations 68.44 (4) Of 95 % or more For exports to : — Zone E 30.53 — Canada 45.16 — Other destinations 76.49	5121 69 5121 70 5121 80 5310 05 5310 11 5310 22 5310 31	
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch :		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
23.07 (cont'd)	(3) Containing 50 % or more but less than 75 %, by weight, of milk products of which content of milk in powder or granules (excluding whey), by weight, is (*) : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more (4) Containing 75 % or more, by weight, of milk products, of which content of milk in powder or granules (excluding whey), by weight, is (*) : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more II. Containing no starch, glucose or glucose syrup, but containing milk products of which content of milk in powder or granules (excluding whey), by weight, is (*) : (a) 50 % or more but less than 60 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62 5800 13 5800 23 5800 32 5800 42 5800 52 5800 62 5800 72 5800 82 5900 12 5900 22 5900 32 5900 42	— 11-84 15-54 19-24 22-94 26-64 — 11-84 15-54 19-24 22-94 26-64 28-49 30-34 19-24 22-94 26-64 30-34

- (1) When the product falling within this subheading is a mixture containing added whey and/or added lactose, no export refund shall be granted.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose have been added to the product.
- (2) The weight of the added non-lactic matter and/or whey and/or added lactose shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose, the added whey and/or added lactose shall not be taken into account in the calculation of the amount of refund.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (4) The weight of added non-lactic matter and/or whey and/or added lactose shall not be taken into account for the purpose of calculating the fat content, by weight.
The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components :
(a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product ; however, where whey and/or lactose have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose, contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (5) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements :
(a) the amount per 100 kg shown ; however, where whey and/or lactose have been added to the product, the amount per 100 kg shown shall be :
— multiplied by the weight of the lactic part other than the added whey and/or added lactose contained in 100 kg of product, and then
— divided by the weight of the lactic part contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (6) No refund shall be applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.
- (7) This amount applies to the net weight, minus the weight of the brine.
- (8) When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the skimmed-milk powder content, by weight,
— the content by weight of the added whey and/or lactose, and
— the lactose content of the added whey
per 100 kg of finished product.
- N.B. : — Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 242/80.
— 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras al Khaimah), Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

COMMISSION REGULATION (EEC) No 923/81**of 3 April 1981****fixing the import levies on live cattle and on beef and veal other than frozen**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 12(8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1(1)(a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under subheadings 02.01 A II a) 1 to 3, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10(4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex thereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 882/79⁽⁴⁾;

Whereas the guide prices for adult bovine animals to be applied from 6 April 1981 were fixed by Council Regulation (EEC) No 898/81 of 1 April 1981⁽⁵⁾;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 111, 4. 5. 1979, p. 14.

⁽⁵⁾ OJ No L 90, 4. 4. 1981.

when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation ;

Whereas if the free-at-frontier offer price differs by less than 0.60 ECU per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 10(3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty ;

Whereas Commission Regulation (EEC) No 611/77 of 18 March 1977 ⁽¹⁾, as amended by Regulation (EEC) No 925/77 ⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries ; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77 ;

Whereas the average price is not to be used for calculating the special levy unless it is at least 1.21 ECU per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10(2) of Regulation (EEC) No 805/68 ;

Whereas if the average price differs by less than 0.60 ECU per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained ;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures ;

Whereas pursuant to Article 12(6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or

markets of each Member State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the appropriate coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage ; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽³⁾, as last amended by Regulation (EEC) No 3470/80 ⁽⁴⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 109, 30. 4. 1977, p. 1.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁴⁾ OJ No L 363, 31. 12. 1980, p. 35.

recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0.24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled ; whereas, moreover, account should be taken of Council Regulation (EEC) No 1272/80 of 22 May 1980 on the conclusion of the Interim Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia on trade and trade cooperation ⁽¹⁾ ;

Whereas the various cuts of beef and veal are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff ;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two

fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets ;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent ;

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 April 1981.

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

Done at Brussels, 3 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 130, 27. 5. 1980, p. 1.

ANNEX

to the Commission Regulation of 3 April 1981 fixing the import levies on live cattle and on beef and veal other than frozen⁽¹⁾ for the period beginning 6 April 1981

(ECU/100 kg)

CCT heading No	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
01.02 A II (a)	— Live weight —		
	61-578	17-331	77-999
	— Net weight —		
02.01 A II a) 1	116-998	32-930	148-198
02.01 A II a) 2	93-598	26-344	118-558
02.01 A II a) 3	140-398	39-516	177-838
02.01 A II a) 4 aa)	—	49-395	222-297
02.01 A II a) 4 bb)	—	56-501	254-276
02.06 C I a) 1	—	49-395	222-297
02.02 C I a) 2	—	56-501	254-276
16.02 B III b) 1 aa)	—	56-501	254-276

(¹) In accordance with Regulation (EEC) No 435/80, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(²) This levy is applicable only to products complying with the provisions of Regulation (EEC) No 1725/80 (OJ No L 170, 3. 7. 1980, p. 4).

(a) The levy which is to be applied to young male bovine animals, intended for fattening, of a live weight of 300 kg or less, imported under the conditions set out in Article 13 of Council Regulation (EEC) No 805/68 of 27 June 1968, and in the provisions adopted for its application, is totally or partially suspended in accordance with those provisions.

COMMISSION REGULATION (EEC) No 924/81**of 3 April 1981****fixing the import levies on frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under subheading 02.01 A II b) 1, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 882/79⁽⁴⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1.69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at 6.65 ECU;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals to be applied from 6 April 1981 have been fixed by Council Regulation (EEC) No 898/81 of 1 April 1981⁽⁵⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 291, 29. 11. 1979, p. 17.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 111, 4. 5. 1979, p. 14.

⁽⁵⁾ OJ No L 90, 4. 4. 1981.

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience ;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under subheadings 02.01 A II b) 2 to 4 is equal to the basic levy fixed for the product falling within subheading 02.01 A II b) 1, multiplied by a standard coefficient fixed for each of the products in question ; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77 ;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account ; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the relevant coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage ; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative

Community markets and the survey of prices of certain other cattle in the Community⁽¹⁾, as last amended by Regulation (EEC) No 3470/80⁽²⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0.24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled ;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽²⁾ OJ No L 363, 31. 12. 1980, p. 35.

Whereas the various cuts of frozen meat are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff ;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in the case of changes in the prices recorded on Community representative markets ;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each

of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent ;

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 April 1981.

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

Done at Brussels, 3 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 3 April 1981 fixing the import levies on frozen beef and veal⁽¹⁾ for the period beginning 6 April 1981

(ECU/100 kg)

CCT heading No	Levy
	— Net weight —
02.01 A II b) 1	133·854
02.01 A II b) 2	107·084 (a)
02.01 A II b) 3	167·318
02.01 A II b) 4 aa)	200·781
02.01 A II b) 4 bb) 11	167·318 (a)
02.01 A II b) 4 bb) 22 (b)	167·318 (a)
02.01 A II b) 4 bb) 33	230·230 (a)

(¹) In accordance with Regulation (EEC) No 435/80, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(a) Where products are imported under the conditions set out in Article 14 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in provisions adopted for its application, the levy is totally or partially suspended in accordance with those provisions.

(b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 925/81

of 3 April 1981

fixing the import levies on live sheep and goats on sheepmeat and goatmeat
other than frozen meat

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organization
of the market in sheepmeat and goatmeat⁽¹⁾, as
amended by Regulation (EEC) No 899/81⁽²⁾, and in
particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas, under Article 10 (2) of Regulation (EEC) No
1837/80, a levy is applicable to the products specified
in Article 1 (a) of that Regulation;

Whereas the levy on products falling within subhead-
ing 02.01 A IV a) 1 listed in Annex I to Regulation
(EEC) No 1837/80 is to be equal to the difference
between the seasonally-adjusted basic price and the
Community free-at-frontier offer price;

Whereas the seasonally-adjusted basic price is fixed in
Article 32 of Regulation (EEC) No 900/81⁽³⁾ for the
1981/82 marketing year;

Whereas the Community free-at-frontier offer price is
determined in the light of the most representative
purchasing possibilities, as regard quality and quantity,
recorded over the period from the 21st day of the
preceding month to the 20th day of the month during
which the levies are determined, taking particular
account of the supply and demand situation for fresh
or chilled meat, the world market price for frozen
meat of a category which is competitive with fresh or
chilled meat and of past experience;

Whereas the free-at-frontier offer price is to be deter-
mined, if necessary, on the basis of the most represent-
ative purchasing possibilities recorded for live sheep;

Whereas, pursuant to Article 3 of Regulation (EEC)
No 2668/80⁽⁴⁾, the free-at-frontier offer prices are to
be based *inter alia* on the prices shown in the

customs documents which accompany products
imported from non-member countries or on other
information concerning the export prices applied by
those non-member countries; whereas offer prices
which do not correspond to actual purchasing possi-
bilities or which relate to unrepresentative quantities
and offer prices which, in view of general price move-
ments or other information available, may be consi-
dered not to be representative of actual price trends in
the country of origin are to be disregarded;

Whereas a special levy may be fixed for products origi-
nating in or coming from one or more non-member
countries if exports of the said products are made at
abnormally low prices;

Whereas the levy on live animals within subheading
01.04 B and on the meat falling within subheadings
02.01 A IV a) 2, 3, 4 and 5 and 02.06 C II a) listed in
Annex I to Regulation (EEC) No 1837/80 is to be
equal to the levy determined for carcasses, multiplied
by a standard coefficient fixed for each of the products
in question; whereas these coefficients are fixed in
Annex I to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obliga-
tions arising from international agreements concluded
by the Community continue to be fulfilled; whereas,
moreover, account should be taken of the voluntary
restraint arrangements made by the Community with
certain non-member countries;

Whereas the levies are fixed before the 27th day of
each month for each week during the following
month; whereas they are applicable from Monday to
Sunday; whereas they can be altered within that
period if necessary;

Whereas, if the levy system is to operate normally,
levies should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2.25 %, a rate of exchange based on
their effective parity,
- in the case of other currencies, an exchange based
on the arithmetic mean of the spot market rates of

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 90, 4. 4. 1981.

⁽³⁾ OJ No L 90, 4. 4. 1981.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

each of those currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 April 1981.

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

Done at Brussels, 3 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 3 April 1981 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CCT heading No	Week No 1 from 6 to 12 April 1981	Week No 2 from 13 to 19 April 1981	Week No 3 from 20 to 26 April 1981	Week No 4 from 27 April to 3 May 1981
01.04 B	59.056 ⁽¹⁾	60.818 ⁽¹⁾	60.672 ⁽¹⁾	60.484 ⁽¹⁾
02.01 A IV a) 1	125.650 ⁽²⁾	129.400 ⁽²⁾	129.090 ⁽²⁾	128.690 ⁽²⁾
2	87.955 ⁽²⁾	90.580 ⁽²⁾	90.363 ⁽²⁾	90.083 ⁽²⁾
3	138.215 ⁽²⁾	142.340 ⁽²⁾	141.999 ⁽²⁾	141.559 ⁽²⁾
4	163.345 ⁽²⁾	168.220 ⁽²⁾	167.817 ⁽²⁾	167.297 ⁽²⁾
5 aa)	163.345 ⁽²⁾	168.220 ⁽²⁾	167.817 ⁽²⁾	167.297 ⁽²⁾
bb)	228.683 ⁽²⁾	235.508 ⁽²⁾	234.944 ⁽²⁾	234.216 ⁽²⁾
02.06 C II a) 1	163.345	168.220	167.817	167.297
2	228.683	235.508	234.944	234.216

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 2645/80 and Commission Regulations (EEC) No 3379/80, (EEC) No 3380/80, (EEC) No 3349/80 and (EEC) No 644/81.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in the voluntary restraint agreements or those laid down in Commission Regulations (EEC) No 3379/80, (EEC) No 3380/80, (EEC) No 3349/80, (EEC) No 3495/80 and (EEC) No 644/81.

COMMISSION REGULATION (EEC) No 926/81

of 3 April 1981

fixing the import levies on frozen sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as amended by Regulation (EEC) No 899/81⁽²⁾, and in particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 10 (2) of Regulation (EEC) No 1837/80 a levy is applicable to the products falling within subheading 02.01 A IV b) listed in Annex I to that Regulation;

Whereas, pursuant to Article 13 of Regulation (EEC) No 1837/80, the levy on frozen carcasses and half-carcasses is to be equal to the difference between:

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses, and
- (b) the Community free-at-frontier offer price for the said frozen meat;

Whereas the basic price for the 1981/82 marketing year is fixed in Article 31 of Regulation (EEC) No 900/81⁽³⁾; whereas the coefficient referred to in Article 13 (1) (a) of Regulation (EEC) No 1837/80 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80⁽⁴⁾;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular

account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on the meat falling within subheadings 02.01 A IV b) 2, 3, 4 and 5 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the levy determined for frozen carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis;

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity,

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 90, 4. 4. 1981.

⁽³⁾ OJ No L 90, 4. 4. 1981.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

— in the case of other currencies, an exchange based on the arithmetic mean of the spot market rates of each of those currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 April 1981.

Whereas, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and

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

Done at Brussels, 3 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 3 April 1981 fixing the import levies on frozen sheep-meat and goatmeat

(ECU/100 kg)

CCT heading No	Week No 1 from 6 to 12 April 1981 (1)	Week No 2 from 13 to 19 April 1981 (1)	Week No 3 from 20 to 26 April 1981 (1)	Week No 4 from 27 April to 3 May 1981 (1)
02.01 A IV b) 1	94-188	97-000	96-768	96-468
2	65-932	67-900	67-738	67-528
3	103-607	106-700	106-445	106-115
4	122-444	126-100	125-798	125-408
5 aa)	122-444	126-100	125-798	125-408
bb)	171-422	176-540	176-118	175-572

(1) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in the voluntary restraint agreements or those laid down in Commission Regulations (EEC) No 3379/80, (EEC) No 3380/80, (EEC) No 3349/80, (EEC) No 3495/80 and (EEC) No 644/81.

