
Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

[^{X1}ANNEX I

Editorial Information

X1 Substituted by [Corrigendum to Commission Regulation \(EC\) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas \(Official Journal of the European Communities L 341 of 22 December 2001\)](#).

[^{F1}I. ATARIFF QUOTAS NOT SPECIFIED BY COUNTRY OF ORIGIN

Quota number	CN code	Description	Country of origin	Annual quota	Quota from 1 January to 30 April 2004	Quota from 1 May to 30 June 2004	Import duty (EUR/100 kg net weight)
09.4590	0402 10 19	Skimmed-milk powder	All third countries	68 000	22 667	11 333	47,5
09.4599	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 90 10 ^a 0405 90 90 ^a	Butter and other fats and oils derived from milk	All third countries	10 000 in butter equivalent	3 333	1 667	94,8
09.4591	ex 0406 10 20 ex 0406 10 80	Pizza cheese, frozen, cut into pieces each weighing not more than 1 gram, in	All third countries	5 300	1 767	883	13,0

a 1 kg product = 1,22 kg butter.

b Irrespective of the rules for the interpretation of the Combined Nomenclature, the wording of the product description must be considered to have merely indicative value, since the applicability of the preferential arrangements is determined in the context of this Annex by the scope of the CN code. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.

c The cheeses referred to are considered as processed when they have been processed into products falling within subheading 0406 30 of the Combined Nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.]]

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

		containers with a net content of 5 kg or more, of a water content, by weight, of 52 % or more, and a fat content by weight in the dry matter of 38 % or more					
09.4592	ex 0406 30 10	Processed Emmentaler	All third countries	18 400	6 133	3 067	71,9
	0406 90 13	Emmentaler					85,8
09.4593	ex 0406 30 10	Processed Gruyère	All third countries	5 200	1 733	867	71,9
	0406 90 15	Gruyère, Sbrinz					85,8
09.4594	0406 90 01	Cheese for processing ^c	All third countries	20 000	6 667	3 333	83,5
09.4595	0406 90 21	Cheddar	All third countries	15 000	5 000	2 500	21,0
09.4596	ex 0406 10 20	Fresh (unripened or uncured) cheese, including whey cheese, and curd, other than pizza	All third countries	19 500	6 500	3 250	92,6
	ex 0406 10 80						106,4

a 1 kg product = 1,22 kg butter.

b Irrespective of the rules for the interpretation of the Combined Nomenclature, the wording of the product description must be considered to have merely indicative value, since the applicability of the preferential arrangements is determined in the context of this Annex by the scope of the CN code. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.

c The cheeses referred to are considered as processed when they have been processed into products falling within subheading 0406 30 of the Combined Nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.]]

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

	cheese of quota number 09.4591				
0406 20 90	Other grated or powdered cheese				94,1
0406 30 31	Other processed cheese				69,0
0406 30 39					71,9
0406 30 90					102,9
0406 40 10 0406 40 50 0406 40 90	Blue-veined cheese				70,4
0406 90 17		Bergkäse and Appenzell			85,8
0406 90 18		Fromage Fribourgeois, Vacherin Mont d'Or and Tête de Moine			
0406 90 23	Edam				
0406 90 25	Tilsit				
0406 90 27	Butterkäse				
0406 90 29	Kashkaval				

a 1 kg product = 1,22 kg butter.

b Irrespective of the rules for the interpretation of the Combined Nomenclature, the wording of the product description must be considered to have merely indicative value, since the applicability of the preferential arrangements is determined in the context of this Annex by the scope of the CN code. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.

c The cheeses referred to are considered as processed when they have been processed into products falling within subheading 0406 30 of the Combined Nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.]]

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

0406 90 31	Feta, of sheep's milk or buffalo milk				
0406 90 33	Feta, other				
0406 90 35	Kefalo- Tyri				
0406 90 37	Finlandia				
0406 90 39	Jarlsberg				
0406 90 50	Cheese of sheep's milk or buffalo milk				
ex 0406 90 63	Pecorino				94,1
0406 90 69	Other				
0406 90 73	Provolone				75,5
ex 0406 90 75	Caciocavallo				
ex 0406 90 76	Danbo, Fontal, Fynbo, Havarti, Maribo, Samsø				
0406 90 78	Gouda				
ex 0406 90 79	Esrom, Italico, Kernhem, Saint- Paulin				

a 1 kg product = 1,22 kg butter.

b Irrespective of the rules for the interpretation of the Combined Nomenclature, the wording of the product description must be considered to have merely indicative value, since the applicability of the preferential arrangements is determined in the context of this Annex by the scope of the CN code. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.

c The cheeses referred to are considered as processed when they have been processed into products falling within subheading 0406 30 of the Combined Nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.]]

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

ex 0406 90 81	Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey				
0406 90 82	Camembert				
0406 90 84	Brie				
0406 90 86	Exceeding 47 % but not exceeding 52 %				
0406 90 87	Exceeding 52 % but not exceeding 62 %				
0406 90 88	Exceeding 62 % but not exceeding 72 %				
0406 90 93	Exceeding 72 %				92,6
0406 90 99	Other				106,4

a 1 kg product = 1,22 kg butter.

b Irrespective of the rules for the interpretation of the Combined Nomenclature, the wording of the product description must be considered to have merely indicative value, since the applicability of the preferential arrangements is determined in the context of this Annex by the scope of the CN code. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.

c The cheeses referred to are considered as processed when they have been processed into products falling within subheading 0406 30 of the Combined Nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.]]

[^{F2}I.B TARIFF QUOTAS UNDER EUROPE AGREEMENTS BETWEEN THE COMMUNITY AND BULGARIA AND ROMANIA

1. Products originating in Romania

Quota number	CN code	Description ⁰	Applicable duty (% of MFN)	Quantities (tonnes)	
				Annual quota from	Annual increase from 1 July

*Status: Point in time view as at 05/07/2005.**Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)***1. Products originating in Romania**

				1.7.2005 to 30.6.2006	2006 and thereafter				
09.4771	0402 10 19 0402 21 11	Skimmed milk powder	Free	1 500	0				
	0402 21 19 0402 21 91	Whole milk powder							
09.4772	0403 10 11 0403 10 13 0403 10 19 0403 10 31 0403 10 33 0403 10 39	Yoghurt, not flavoured	Free	1 000	0				
	0403 90 11 0403 90 13 0403 90 19 0403 90 31 0403 90 33 0403 90 39 0403 90 51 0403 90 53 0403 90 59 0403 90 61 0403 90 63 0403 90 69	Other, not flavoured							
	09.4758	0406				Cheese and curd	Free ⁰	3 000	200

2. Products originating in Bulgaria

Quota number	CN code	Description^a	Applicable duty (% of MFN)	Quantities (tonnes)	
				Annual quota from 1.7.2005 to 30.6.2006	Annual increase from 1 July 2006 and thereafter
09.4773	0402 10	Skimmed milk powder	Free ^b	3 300	300
	0402 21	Whole milk powder, unsweetened			
09.4675	0403 10 11 0403 10 13 0403 10 19 0403 10 31	Yoghurt, not flavoured	Free	770	70

a Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential arrangements being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are referred to, the applicability of the preferential arrangements is determined to the basis of the CN code and the corresponding description taken jointly.

b This concession is only applicable to products not benefiting from any kind of export subsidies.]

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

2. Products originating in Bulgaria

	0403 10 33 0403 10 39				
09.4660	0406	Cheese and curd	Free ^b	7 000	300

a Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential arrangements being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are referred to, the applicability of the preferential arrangements is determined to the basis of the CN code and the corresponding description taken jointly.

b This concession is only applicable to products not benefiting from any kind of export subsidies.]

Textual Amendments

F2 Substituted by [Commission Regulation \(EC\) No 1036/2005 of 1 July 2005 amending Regulation \(EC\) No 2535/2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas.](#)

[^{F3}I. C TARIFF QUOTAS REFERRED TO IN ANNEX II TO REGULATION (EC) NO 2286/2002

Serial number of the quota	CN code	Description ^a	Country of origin	Quota from 1 January to 31 December (in tonnes)		Reduction in customs duties
				annual	six-monthly	
09.4026	0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	ACP	1 000	500	65 %
09.4027	0406	Cheese and curd	ACP	1 000	500	65 %

a Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential arrangements being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are referred to, the applicability of the preferential arrangements is determined on the basis of the CN code and the corresponding description taken jointly.]

Textual Amendments

F3 Substituted by [Commission Regulation \(EC\) No 787/2003 of 8 May 2003 amending Regulation \(EC\) No 2535/2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas, and derogating from that Regulation.](#)

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

I. D TARIFF QUOTAS UNDER PROTOCOL 1 TO DECISION No 1/98 OF THE EC-TURKEY ASSOCIATION COUNCIL

Quota number	CN code	Description ^a	Country of origin	Annual quota from 1 January to 31 December (in tonnes)	Import duty (EUR/100 kg net weight)
09.4101	0406 90 29	Kashkaval cheese	Turkey	1 500	0
	ex 0406 90 31	Cheese made exclusively from sheep's milk or buffalo milk, in containers containing brine, or in sheep or goatskin bottles			
	ex 0406 90 50	Other cheese made exclusively from sheep's milk or buffalo milk, in containers containing brine, or in sheep or goatskin bottles			
	ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Tulum Peyniri, made from sheep's milk or buffalo milk, in packings of less than 10 kg			

^a Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the applicability of the preferential scheme being determined, for the purposes of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.

I. E TARIFF QUOTAS UNDER ANNEX IV TO THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND SOUTH AFRICA

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

Quota number	CN code	Description	Country of origin	Import year	Annual quota from 1 January to 31 December (in tonnes)		Import duty (EUR/100 kg net weight)
					Annual	Six-monthly	
09.4151	0406 10		Republic of South Africa	2000	5 000	2 500	0
	0406 20			2001	5 250	2 625	
	90			2002	5 500	2 750	
	0406 30			2003	5 750	2 875	
	0406 40			2004	6 000	3 000	
	90			2005	6 250	3 125	
	0406 90			2006	6 500	[^{x2} 3 250]	
	01			2007	6 750	3 375	
	0406 90			2008	7 000	3 500	
	21			2009	7 250	3 625	
	0406 90			2010	Unlimited	Unlimited	
	50						
	0406 20						
	69						
	0406 90						
78							
0406 90							
86							
0406 90							
87							
0406 90							
88							
0406 90							
93							
0406 90							
99							

a Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the applicability of the preferential scheme being determined, for the purposes of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.

Editorial Information

X2 Substituted by [Corrigendum to Commission Regulation \(EC\) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas \(Official Journal of the European Communities L 341 of 22 December 2001\)](#).

[^{F4}]^{F1}I. F

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

TARIFF QUOTAS UNDER ANNEXES II AND III TO THE
AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND
SWITZERLAND ON TRADE IN AGRICULTURAL PRODUCTS

Quota number	CN code	Description	Customs duty	Quantities of quotas				
				2003/2004 quota			2004 and following	
				Total	from 1.7 to 31.12.2003	from 1.1 to 30	from 1.5 to 30.6.2004	from 1 July to 30 June
09.4155	ex 0401 30	Cream, of a fat content by weight exceeding 6 %	exemption	2 000	1 000	667	333	2 000
	0403 10	Yoghurt						

Quota number	CN code	Description	Customs duty	Quantities of quotas							
				2003/2004 quota			2004	2005	2006	from 1.6.2007	
				Total	from 1.7. to 31.12.2003	from 1.1. to 30.6.2004	from 1 July to 30 June	from 1 July to 31 May			
09.4156	ex 0406	Cheeses other than those referred to in Annex II.D	exemption	2 250	2 125	1 417	708	5 500	6 750	7 646	unlimited]

I. G

TARIFF QUOTA UNDER THE ANNEX TO PROTOCOL 1 TO THE ASSOCIATION
AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND JORDAN

Quota number	CN code	Description	Customs duty	Quantity (tonnes)		
				2002 from 1 July to 31 December	2003 et seq. from 1 January to 31 December	
					annual	half-yearly
09.4159	ex 0406 90 33	Sheep's milk cheese	exemption	100	100	50

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

ex 0406 90 50]				
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[^{F1}I. H

TARIFF QUOTAS UNDER ANNEX I TO THE
AGREEMENT WITH THE KINGDOM OF NORWAY

in tonnes

Quota number	CN code	Description	Customs duty	Quota annual	six-monthly	2003/2004		
						six-monthly from 1 July to 31 December 2003	from 1 January to 30 April 2004	from 1 May to 30 June 2004
09.4781	ex 0406 90 23	Norwegian Edam	exemption	3 467	1 733,5	1 733,5	1 155,7	577,8
	0406 90 39	Jarlsberg						
	ex 0406 90 78	Norwegian Gouda						
	0406 90 86 0406 90 87 0406 90 88	Other cheeses						
09.4782	040610	Fresh cheeses	exemption	533	266,5	266,5	177,7	88,8

a Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than an indicative value, the preferential arrangements being determined, within the context of this Annex, by the coverage of the CN codes.]

ANNEX II

[^{F3}II. A

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

CONCESSIONS REFERRED TO IN ANNEX I TO REGULATION (EC) NO 2286/2002

CN code	Description ^a	Reduction in customs duties(%)
0401		16
0403 10 11 to 0403 10 39		16
0403 90 11 to 0403 90 69		16
0404		16
0405 10		16
0405 20 90		16
0405 90		16
1702 11 00		16
1702 19 00		16
2106 90 51		16
2309 10 15		16
2309 10 19		16
2309 10 39		16
2309 10 59		16
2309 10 70		16
2309 90 35		16
2309 90 39		16
2309 90 49		16
2309 90 59		16
2309 90 70		16

a Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential arrangements being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are referred to, the applicability of the preferential arrangements is determined on the basis of the CN code and the corresponding description taken jointly.]

II. B

PREFERENTIAL IMPORT ARRANGEMENTS — TURKEY

Serial number	CN code	Description	Country of origin	Import duty(EUR/100 kg net weight without further indication)
1	0406 90 29	Kashkaval	Turkey	67,19

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

2	ex 0406 90 31 ex 0406 90 50	Cheese made exclusively from sheep's milk or buffalo milk, in containers containing brine, or in sheep- or goatskin bottles	Turkey	67,19
3	ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	<i>Tulum peyniri</i> , made from sheep's milk or buffalo milk, in packings of less than 10 kg	Turkey	67,19

II. C

PREFERENTIAL IMPORT ARRANGEMENTS — SOUTH AFRICA

Quota number	CN code	Description of origin	Import duty as % of basic duty											
			Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
14	0401	Republic of South Africa	0%	82	73	64	55	45	36	27	18	9	0	
	0403 10 11													
	0403 10 13													
	0403 10 19													
	0403 10 31													
	0403 10 33													
	0403 10 39													
	040291	Republic of	100	100	100	100	100	83	67	50	33	17	0	

- a** Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the applicability of the preferential scheme being determined, for the purposes of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

0404 10 74												
0404 10 76												
0404 10 78												
0404 10 82												
0404 10 84												
0406 10 20	For quantities imported in excess of the quotas referred to in Annex I(E)											
0406 10 80												
0406 20 90												
0406 30												
0406 40 90												
0406 90 01												
0406 90 21												
0406 90 50												
0406 90 69												

- a** Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the applicability of the preferential scheme being determined, for the purposes of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

0406 90 78											
0406 90 86											
0406 90 87											
0406 90 88											
0406 90 93											
0406 90 99											
1702 11 00											
1702 19 00											
2106 90 51											
2309 10 15											
2309 10 19											
2309 10 39											
2309 10 59											

- a** Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the applicability of the preferential scheme being determined, for the purposes of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the applicability of the preferential scheme is determined on the basis of the CN code and the corresponding description taken jointly.
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Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

	exceeding 500 g, of a fat content by weight exceeding 10 %						
ex 0406 20	Grated or powdered cheese of a water content not exceeding 400 g/kg of cheese	exemption					
0406 30	Processed cheese	exemption					
ex 0406 90 13	Emmentaler of a fat content by weight of 45 % or more in the dry matter and matured for three months or more	6,58	5,26	3,95	2,63	1,32	0
ex 0406 90 15	Gruyère, Sbrinz, of a fat content by weight of 45 % or more in the dry matter and matured for three	6,58	5,26	3,95	2,63	1,32	0

a 'Special milk for infants' means products free from pathogenic germs and which have fewer than 10 000 revivifiable aerobic bacteria and fewer than two coliform bacteria per gram.

b Bergkäse includes the following names: Gaiser Bergkäse, Berner Bergkäse, Gstaader Bergkäse, Luzerner Bergkäse, Nidwaldner Bergkäse, Obwaldner Bergkäse, Schwyzer Bergkäse, St. Galler Bergkäse, Untervazer Bergkäse, Urner Bergkäse, Walliser Bergkäse, Zürcher Bergkäse, Glarner Bergkäse, Etivaz cheese.

c Synonym: Vacherin fribourgeois.]

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

	months or more						
ex 0406 90 17	Bergkäse ^b , Appenzell, of a fat content by weight of 45 % or more in the dry matter and matured for three months or more	6,58	5,26	3,95	2,63	1,32	0
[^{F6} ex 0406 90 18	Fromage fribourgeois ^c , Vacherin Mont d'Or, Tête de moine of a fat content by weight of 45 % or more in the dry matter and matured: — for at least two months in the case of fromage fribourgeois, — for at least	exemption]					

a 'Special milk for infants' means products free from pathogenic germs and which have fewer than 10 000 revivifiable aerobic bacteria and fewer than two coliform bacteria per gram.

b Bergkäse includes the following names: Gaiser Bergkäse, Berner Bergkäse, Gstaader Bergkäse, Luzerner Bergkäse, Nidwaldner Bergkäse, Obwaldner Bergkäse, Schwyzer Bergkäse, St. Galler Bergkäse, Untervazer Bergkäse, Urner Bergkäse, Walliser Bergkäse, Zürcher Bergkäse, Glarner Bergkäse, Etivaz cheese.

c Synonym: Vacherin fribourgeois.]

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

		17 days in the case of Vacherin Mont d'Or, for at least 75 days in the case of Tête de moine.
0406 90 19	Glaris herb cheese (known as Schabziger) made from skimmed milk and mixed with finely ground herbs	exemption
ex 0406 90 87	Grisons cheese	exemption
0406 90 25	Tilsit	exemption
a	'Special milk for infants' means products free from pathogenic germs and which have fewer than 10 000 revivifiable aerobic bacteria and fewer than two coliform bacteria per gram.	
b	Bergkäse includes the following names: Gaiser Bergkäse, Berner Bergkäse, Gstaader Bergkäse, Luzerner Bergkäse, Nidwaldner Bergkäse, Obwaldner Bergkäse, Schwyzer Bergkäse, St. Galler Bergkäse, Untervazer Bergkäse, Urner Bergkäse, Walliser Bergkäse, Zürcher Bergkäse, Glarner Bergkäse, Etivaz cheese.	
c	Synonym: Vacherin fribourgeois.]	

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

Textual Amendments

- F6** Substituted by Commission Regulation (EC) No 748/2004 of 22 April 2004 amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas, and derogating from that Regulation.

ANNEX III

III. A

TARIFF QUOTAS UNDER THE GATT/WTO AGREEMENTS SPECIFIED BY COUNTRY OF ORIGIN

Quota number	CN code	Description	Country of origin	Annual quota from 1 January to 31 December (in tonnes)	[^{F7} Maximum quota January to June (quantity in tonnes)]	Import duty (EUR/100 kg net weight)	Rules for completing IMA 1 certificates
[^{F1} 09.4589	ex 0405 10 11 ex 0405 10 19	Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 82 % manufactured directly from milk or cream without the use of stored materials, in a single, self-contained	New Zealand	76 667	42 167	86,88	See Annex IV

a Utilisation for this particular purpose will be monitored by applying the Community provisions laid down on the subject. The cheeses concerned are considered as processed when they have been processed into products falling within subheading 0406 30 of the combined nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.

b Free-at-frontier value' means the free-at-frontier price or fob price in the country of export, plus an amount for delivery and insurance costs as far as the customs territory of the Community.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

	and uninterrupted process					
ex 0405 10 30	Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 82 %, manufactured directly from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process which may involve the cream passing through a stage where the butterfat is concentrated and/or fractionated (the processes referred to as 'Ammix'					
a	Utilisation for this particular purpose will be monitored by applying the Community provisions laid down on the subject. The cheeses concerned are considered as processed when they have been processed into products falling within subheading 0406 30 of the combined nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.					
b	Free-at-frontier value' means the free-at-frontier price or fob price in the country of export, plus an amount for delivery and insurance costs as far as the customs territory of the Community.					

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

		and 'Spreadable']]					
09.4515	0406 90 01	Cheese for processing ^a	New Zealand	4 000		17,06	See Annex XI(C) and (D)
09.4522	0406 90 01	Cheese for processing ^a	Australia	500		17,06	See Annex XI(C) and (D)
09.4514	ex 0406 90 21	Whole Cheddar cheeses (of the conventional flat cylindrical shape of a net weight of not less than 33 kg but not more than 44 kg and cheeses in cubic blocks or in parallelepipedshape, of a net weight of 10 kg or more) of a fat content of 50 % or more by weight in the dry matter, matured for at least three months	New Zealand	7 000		17,06	See Annex XI(B)

a Utilisation for this particular purpose will be monitored by applying the Community provisions laid down on the subject. The cheeses concerned are considered as processed when they have been processed into products falling within subheading 0406 30 of the combined nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.

b 'Free-at-frontier value' means the free-at-frontier price or fob price in the country of export, plus an amount for delivery and insurance costs as far as the customs territory of the Community.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

09.4521	ex 0406 90 21	Whole Cheddar cheeses (of the conventional flat cylindrical shape of a net weight of not less than 33 kg but not more than 44 kg and cheeses in cubic blocks or in parallelepiped shape, of a net weight of 10 kg or more) of a fat content of 50 % or more by weight in the dry matter, matured for at least three months	Australia	3 250		17,06	See Annex XI(B)
09.4513	ex 0406 90 21	Cheddar made from unpasteurised milk, of a fat content of 50 % or more, by weight,	Canada	4 000		13,75	See Annex XI(A)

a Utilisation for this particular purpose will be monitored by applying the Community provisions laid down on the subject. The cheeses concerned are considered as processed when they have been processed into products falling within subheading 0406 30 of the combined nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.

b Free-at-frontier value' means the free-at-frontier price or fob price in the country of export, plus an amount for delivery and insurance costs as far as the customs territory of the Community.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

	<p>in the dry matter, matured for at least nine months, with a free-at-frontier value^b per 100 kg net, of not less than:</p> <p>— EUR 334,20 for whole cheeses</p> <p>— EUR 354,83 for cheeses of a net weight of not less than 500 g</p> <p>— EUR 368,58 for cheeses of a net weight of less than 500 g</p>				
	<p>The expression 'whole cheeses' means:</p> <p>— cheeses of</p>				

a Utilisation for this particular purpose will be monitored by applying the Community provisions laid down on the subject. The cheeses concerned are considered as processed when they have been processed into products falling within subheading 0406 30 of the combined nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.

b Free-at-frontier value' means the free-at-frontier price or fob price in the country of export, plus an amount for delivery and insurance costs as far as the customs territory of the Community.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

		<p>the conventional flat cylindrical shape of a net weight of not less than 33 kg but not more than 44 kg. — cubic blocks or parallelepipeds of cheese of a net weight of not less than 10 kg.</p>			
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- a Utilisation for this particular purpose will be monitored by applying the Community provisions laid down on the subject. The cheeses concerned are considered as processed when they have been processed into products falling within subheading 0406 30 of the combined nomenclature. Articles 291 to 300 of Regulation (EEC) No 2454/93 apply.
- b Free-at-frontier value' means the free-at-frontier price or fob price in the country of export, plus an amount for delivery and insurance costs as far as the customs territory of the Community.

Textual Amendments

F7 Inserted by [Commission Regulation \(EC\) No 50/2004 of 9 January 2004 amending Regulation \(EC\) No 2535/2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas, and derogating from that Regulation.](#)

^{F8} III. B

^{F9} III. C

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

ANNEX IV

CHECKING THE WEIGHT AND FAT CONTENT OF BUTTER ORIGINATING IN NEW ZEALAND IMPORTED UNDER ARTICLE 2(1)(a) OF REGULATION (EC) No 2535/2001

1. DEFINITIONS

For the purpose of this Annex the definitions set out below apply:

- (a) 'producer': a single production plant or factory in which butter is produced for export to the Community under the tariff quota referred to in Annex III(A) under quota number 09.4589;
- (b) 'cypher': the quantity of butter produced according to one product-purchasing specification in one production plant during a single manufacturing run;
- (c) 'lot': a quantity of butter covered by an IMA 1 certificate and by a corresponding import licence which has been issued for the identical product and quantity as the IMA 1 presented to the competent customs authority for entry for free circulation under the tariff quota referred to in Annex III(A) under quota number 09.4589;
- (d) 'competent authorities': the authorities in the Member States responsible for controls on imported products;
- (e) 'typical-process standard deviation of the fat content': the standard deviation of the fat content of butter recorded by the IMA 1 issuing body;
- (f) 'product identification list': a list which identifies, for each lot, the quota number of its corresponding IMA 1 certificate, the production plant or factory and the cypher or cyphers, and which also provides a description of the butter. It may also identify the specification to which the butter was manufactured, the production season, the number of cartons corresponding to each cypher, the total number of cartons, the nominal weight of the cartons, the exporter's serial number, the means of transport from New Zealand to the European Community and the voyage number.

2. COMPLETION AND VERIFICATION OF THE IMA 1 CERTIFICATE

- 2.1. An IMA 1 certificate shall cover butter manufactured according to one product-purchasing specification in one plant. It may cover more than one cypher of the same product-purchasing specification from the same plant.
- 2.2. The IMA 1 certificate shall be considered to be duly completed within the meaning of Article 32(2) only if it contains all the following information:
 - (a) in box 1, the name and address of the seller;
 - ▶⁽⁹⁾ (b) in box 2, the serial number of issue ◀ identifying the country of origin, the import arrangements, the product, the quota year and the individual certificate number, starting again from one each year;
 - (c) in box 4, the number and date of the invoice;
 - (d) in box 5, 'New Zealand';
 - (e) in box 7:
 - reference to the product identification list (product ID list), which must be attached,
 - the CN code preceded by 'ex' and the detailed description as given in Annex III(A),
 - identification of the product-purchasing specification and the date of the last modification,
 - the factory registration number,
 - the date of manufacture of the butter, and
 - the arithmetic mean of the tare weight of the wrapper;
 - (f) in box 8, the gross weight in kilograms;
 - (g) in box 9:
 - the net nominal weight ▶⁽⁹⁾ per box, ◀
 - the total net weight in kilograms,
 - the number of ▶⁽⁹⁾ boxes ◀,
 - the arithmetic mean of the net weight of the ▶⁽⁹⁾ boxes ◀ designated by the symbol 'μ',
 - the standard deviation of the net weight of the ▶⁽⁹⁾ boxes ◀ designated by the symbol 'σ';
 - (h) in box 10: from milk or cream;

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

- (i) in box 13:
- not less than 80 % but less than 82 % fat,
 - the typical-process standard deviation of the fat content of the butter, made to the product-purchasing specification and in the factory indicated in box 7, and its entry-into-force date for the purpose of issuing IMA1 certificates;
- (j) in box 16: 'New Zealand butter quota for . . . [year] in accordance with Regulation (EC) No . . . / . . .';
- (k) in box 17:
- the date on which the most recently manufactured butter covered by the IMA 1 was or will be six weeks old,
 - the total quota for the year in question,
 - the date of issue and, where appropriate, the last day of validity,
 - signature and stamp of the issuing body;
- (l) in box 18, exact address and contact details of the issuing body.
- 2.3. Verification by the IMA 1 issuing body of the percentage fat content in box 13 under Article 23(1)(b) must entail analysing between 10 and 25 samples per cypher to check the arithmetic mean of the percentage fat content found by the producer.

Verification must show that the arithmetic mean does not exceed \bar{M} (the maximum mean milk fat content of the sample) where:

$$\bar{M} = 81,99 - 1,645 \sigma$$

where σ is the typical-process standard deviation.

3. CHECKING THE WEIGHT

3.1. Community controls

Controls by the competent authorities shall be carried out on one lot.

The competent authorities shall take a random sample from the lot. The sample size shall be determined according to the following formula:

$$n = \sqrt[3]{N}$$

where n is ⁽⁹⁾the sample size; and

N is the number of ⁽⁹⁾boxes in the lot.

⁽⁹⁾However, the minimum sample size, n , shall be 10.

The competent authorities shall calculate the arithmetic mean and standard deviation of the net weights obtained from the sample.

The competent authorities shall make appropriate checks to verify the information on tare weight given on the IMA 1 certificate, which may include a comparison with the weight of plastic wrappers used in the Community or examination of a certificate from the manufacturer of the ⁽⁹⁾plastic wrappers used on the lot.

3.2. Interpretation of control results — standard deviation

The standard deviation of the net weight of the ⁽⁹⁾boxes specified in the IMA 1 certificate shall be checked according to the following procedure.

The ratio s/σ shall be compared with the minimum ratio specified for a given sample size in the following table, where s is the sample standard deviation and σ is the standard deviation of the net weight of the ⁽⁹⁾boxes specified in the IMA 1 certificate.

Where the ratio s/σ is lower than the appropriate minimum ratio in the reference data table then s shall be used when the control results are interpreted under point 3.3 rather than σ .

Minimum ratio (*) s/σ for a given sample size (n)

n	s/σ	n	s/σ	n	s/σ
10 (**)	0,608	21	0,737	32	0,789
11	0,628	22	0,743	33	0,792
12	0,645	23	0,749	34	0,795
13	0,660	24	0,754	35	0,798
14	0,673	25	0,760	36	0,801
15	0,685	26	0,764	37	0,804
16	0,696	27	0,769	38	0,807

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

n	s/σ	n	s/σ	n	s/σ
17	0,705	28	0,773	39	0,809
18	0,714	29	0,778	40	0,812
19	0,722	30	0,781	41	0,814
20	0,730	31	0,785	42	0,816
				43	0,819

(*) The minimum ratios have been calculated using tabulated Chi2-values (5 % quantile; n-1 degrees of freedom).

(**) The minimum sample size, n, shall be 10.

3.3. Interpretation of control resolution — arithmetic mean

The competent authorities shall compare the results of sampling with the information on the IMA 1 certificate using the following formula:

$$w \leq W + \frac{2,326\sigma}{\sqrt{n}}$$

where w is the arithmetic mean of the net weight of the sample ►⁽⁹⁾ boxes ◀

W is the mean net weight per ►⁽⁹⁾ box ◀ specified on the IMA 1 certificate,

σ is the standard deviation of the net weight per carton specified on the IMA 1 certificate. However, the sample standard deviation of the net weight per ►⁽⁹⁾ box(es) ◀ shall be used instead of σ where required under point 3.2, and

n is the sample size.

Where w satisfies the above formula, the mean net weight specified on the IMA 1 certificate (W) shall be used to determine the net weight of the lot imported into the Community.

Where w does not satisfy the above formula, w shall be used to determine the net weight of the lot imported into the Community. The declared weight shall be attributed in part 2 of column 29 of the import licence and the excess over the declared weight shall be imported in accordance with article 26 of Council Regulation (EC) No 1255/1999.

4. CHECKING THE FAT CONTENT

4.1. Community controls

The competent authorities shall check the percentage fat content on half of the ►⁽⁹⁾ boxes ◀ which are sampled under point 3. However, the minimum sample size, n , shall be 5.

The sampling method to be used shall be International Dairy Federation (IDF) Standard 50C/1995.

The method for determining the fat content to be used shall be that laid down in Annexes IX, X and XI to Commission Regulation (EC) No 213/2001 (OJ L 37, 7.2.2001).

4.2. Interpretation of control results — standard deviation

The standard deviation of the fat content of the butter specified in the IMA 1 certificate shall be checked according to the following procedure.

The ratio s/σ shall be compared with the maximum ratio specified for a given sample size in the following table where s is the sample standard deviation and σ is the standard deviation of the fat content of the butter specified in the IMA 1 certificate.

Where the ratio s/σ is higher than the appropriate reference value in the reference data table then s shall be used when the control results are interpreted under point 4.3 rather than σ .

Maximum ratio (*) s/σ for a given sample size (n)

n	s/σ	n	s/σ	n	s/σ
5 (**)	1,540	11	1,353	17	1,282
6	1,488	12	1,337	18	1,274
7	1,448	13	1,324	19	1,266
8	1,417	14	1,311	20	1,259
9	1,392	15	1,301	21	1,253
10	1,371	16	1,291	22	1,247

(*) The maximum ratios have been calculated using tabulated Chi2-values (95 % quantile; n-1 degrees of freedom).

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

4.3. Interpretation of control results — arithmetic mean

Compliance with the fat content requirements shall be assumed if the arithmetic mean of the sample results (\bar{x}) does not exceed \bar{M} , where:

$$\bar{M} = 81,99 - 1,645 \sigma$$

where σ is the typical-process standard deviation of the fat content specified on the IMA 1 certificate. However, the sample standard deviation of the fat content (s) shall be used instead of σ where required under point 4.2.

4.4. Further check

Where the arithmetic mean of the sample results exceeds the value \bar{M} referred to in point 4.3, then a further calculation shall be carried out to establish the import terms for the lot concerned.

In this calculation, the arithmetic mean of the test results (\bar{x}) shall be compared with \bar{M} using the following formula:

$$\bar{x} \leq \bar{M} + 1,645\sigma_{\bar{x}}$$

where $\sigma_{\bar{x}}$ is obtained using the following formula:

$$\sigma_{\bar{x}} = \sqrt{\frac{\sigma^2}{n} + \sigma_L^2 + \frac{\sigma_r^2}{n}}$$

where σ is the typical-process standard deviation of the fat content specified on the IMA 1 certificate.

σ_L is the between-laboratory standard deviation calculated as:

$$\sigma_L = \sqrt{\sigma_R^2 - \sigma_r^2} = 0,102 \%$$

σ_r is the repeatability standard deviation = 0,079 %,

σ_R is the reproducibility standard deviation = 0,129 %,

n is the sample size.

If \bar{x} satisfies the above formula, then the lot may be imported under the quota referred to in Annex III(A) under quota number 09.4589.

If \bar{x} does not satisfy the above equation then non-compliance with the fat content requirements shall be established. In this case the lot shall be imported in accordance with Article 36.

The competent authorities shall notify the Commission without delay of each case dealt with under this point.

4.5. Disputed results

The importer concerned may challenge the results of the analysis obtained by a competent authorities' laboratory within seven working days of receiving these results, undertaking to pay for the costs of testing the duplicate samples. In this case the competent authorities shall send sealed duplicates of the samples analysed by its laboratory to a second laboratory. This second laboratory shall be authorised by a Member State to carry out official analyses and be recognised by that Member State as having competence in applying the method referred to in point 4.1, as demonstrated by meeting the repeatability criterion when analysing blind duplicates and by successful participation in proficiency tests.

This second laboratory shall communicate the results of its analysis to the competent authorities promptly.

The procedure laid down in point 4.6 shall apply for the evaluation of the results obtained by the two laboratories. The result of this evaluation shall be communicated by the competent authorities to the importer promptly.

4.6 Procedure applicable when the results of an analysis are disputed:

(a) where the reproducibility requirement is respected for each sampling unit:

For each sampling unit the arithmetic mean of the test results obtained by both laboratories is reported as the final result. The final results obtained in this way are used to check compliance as described in points 4.2, 4.3 and 4.4. One non-compliance with the reproducibility limit per 10 sampling units is accepted.

y : arithmetic mean of all results obtained by both laboratories

R : reproducibility limit ($R = 0,36 \%$)

(b) where the reproducibility requirement is not respected in more than one case (more than one sampling unit per 10 sampling units analysed):

The consignment is finally rejected if the results of both laboratories lead to this conclusion. Otherwise, the consignment is accepted.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

ANNEX V

APPLICATION OF ARTICLE 40(2) OF REGULATION (EC) No 2535/2001

COMMISSION OF THE EUROPEAN COMMUNITIES
DG AGRI/D/1 — Milk products

	Description of the field (Column 1)	Box No (Column 2)	Value (Column 3)	Unit or format
General information	Name of the butter manufacturer:	1		—
	Lot identification code:	2		—
	Size of the lot:	3		kg
	Date of checks	4		day/month/year
Weight check	Size of the random sample:	5		No of ► ⁽⁹⁾ boxes ◀
	Mean	Arithmetic mean of the net weight per ► ⁽⁹⁾ box: ◀ (as specified on the IMA 1 certificate — box 9)	6	kg
		Arithmetic mean of the net weight of the sample ► ⁽⁹⁾ boxes: ◀	7	kg
		The arithmetic mean of the net weight determined in the EU shows a significant difference to the declared value:	8	N = No Y = Yes
	Standard deviation	Standard deviation of the net weight per ► ⁽⁹⁾ box: ◀ (as specified on the IMA 1 certificate — box 9)	9	kg
		Standard deviation of the net weight of the sample ► ⁽⁹⁾ boxes: ◀	10	kg
		The standard ► ⁽⁹⁾ deviation ◀ of the net weight determined in the EU shows a significant difference to the declared value:	11	N = No Y = Yes
Check of fat content	Size of the random sample:	12		Number of ► ⁽⁹⁾ boxes ◀
	Mean	Maximum mean fat content resulting from the reported typical-process standard deviation:	13	% fat
		Arithmetic mean of the fat content of the sample ► ⁽⁹⁾ boxes: ◀	14	% fat
		The arithmetic mean of the fat content determined in the EU shows a significant difference to the maximum mean fat content:	15	N = No Y = Yes
	Standard deviation	Typical-process standard deviation of the fat content: (as specified on the IMA 1 certificate — box 13)	16	% fat
		Standard deviation of the fat content of the sample ► ⁽⁹⁾ boxes: ◀	17	% fat
		The ► ⁽⁹⁾ standard ◀ deviation of the fat content determined in the EU shows a significant difference to the declared value:	18	N = No Y = Yes

To be sent to the European Commission by e-mail (DGAGRI-D1-Milk@cec.eu.int) or by fax (+32-2-2953310)

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

[^{F2}ANNEX VIIa

1. Tariff quota under Annex I to the Association Agreement with the Republic of Chile

Quota No	CN code	Description	Applicable rate of duty (%) of the MFN duty)	Annual quantities (tonnes)(base = calendar year)		Annual increase from 2005
				from 1.2.2003 to 31.12.2003	2004	
09.1924	0406	Cheese and curd	Exemption	1 375	1 500	75

2. Tariff quota under Annex VII to Regulation (EC) No 747/2001 as regards certain agricultural products originating in Israel

Quota No	CN Code	Description	Applicable rate of duty	Annual quantities (tonnes)(base = calendar year)			
				2004	2005	2006	from 2007 onwards
09.1302	0404 10	Whey and modified whey	Exemption	824	848	872	896

a Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential arrangements being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are referred to, the applicability of the preferential arrangements is determined to the basis of the CN code and the corresponding description taken jointly.]

ANNEX VIII

CIRCUMSTANCES UNDER WHICH AN IMA 1 CERTIFICATE OR PART THEREOF MAY BE CANCELLED, AMENDED, REPLACED OR CORRECTED

1. Cancellation of the IMA 1 certificate when full duty is due and paid for non-compliance with compositional requirements.

Where full duty is paid on a lot because the maximum fat content requirement is not complied with, the corresponding IMA 1 certificate may be cancelled and the IMA 1 issuing body may add the quantities concerned to those for which IMA 1 certificates may be issued for the same quota year. The customs authorities shall retain the corresponding import licence and send it to the import-license issuing authority, which shall amend it to convert it into a full-duty import licence for the quantity concerned in accordance with Article 36.

2. Produce destroyed or rendered unfit for sale.

IMA 1 issuing bodies may cancel an IMA 1 certificate or part thereof for a quantity covered by it which is destroyed or rendered unfit for sale in circumstances beyond the control of the exporter. Where part of the quantity covered by an IMA 1 certificate is destroyed or rendered

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

unfit for sale, a replacement certificate may be issued for the remaining quantity. In the case of New Zealand butter referred to in Annex III(A) under quota number 09.4589, the original product identification list shall be used for this purpose. The replacement certificate shall be valid only up to the same date as the original. In this case, box 17 of the replacement IMA 1 certificate shall contain the words 'valid up to 00.00.0000'.

Where all or part of the quantity covered by an IMA 1 certificate is destroyed or rendered unfit for sale due to circumstances beyond the exporters' control, the IMA 1 issuing body may add these quantities to those for which IMA 1 certificates may be issued for the same quota year.

3. Change of Member State of destination

When the exporter is obliged to change the Member State of destination indicated on an IMA 1 certificate before a corresponding import licence is issued, the original IMA 1 certificate may be amended by the IMA 1 issuing body. Such an amended original IMA 1 certificate, duly authenticated and appropriately identified by the issuing body, may be presented to the licensing authority and to the customs authorities.

4. When a clerical or technical error is discovered on an IMA 1 certificate before a corresponding import licence is issued, the original certificate may be corrected by the issuing body. Such a corrected original IMA 1 certificate may be presented to the licensing authority and to the customs authorities.
5. When, in exceptional circumstances beyond the control of the exporter, a product intended for import in a given year becomes unavailable and the only means of filling the quota, in the light of normal shipping time from the country of origin, is to replace it with a product originally intended for import the following year, the issuing body may issue a new IMA 1 certificate for the replacement quantity, on the sixth working day after giving due notification to the Commission of the details of the IMA 1 certificate or part thereof to be cancelled for the year concerned and of the first IMA 1 certificate or part thereof issued for the following year to be cancelled.

If the Commission considers that this provision does not apply to the circumstances of the case concerned, it may object within five working days, stating the reason for its objection. Where the quantity to be replaced is greater than that covered by the first IMA 1 certificate issued for the following year, the required quantity may be obtained by cancelling additional IMA 1 certificates, in sequence, or part thereof as necessary.

All quantities in respect of which IMA 1 certificates or part thereof have been cancelled for the year concerned shall be added to the quantities for which IMA 1 certificates may be issued for that quota year.

All quantities brought forward from the following quota year for which an IMA 1 certificate or certificates have been cancelled shall be added back to the quantities for which IMA 1 certificates may be issued for that quota year.

*Status: Point in time view as at 05/07/2005.**Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)*

ANNEX IX

IMA 1 CERTIFICATE

1. Seller	2. Serial No of issue	ORIGINAL	
	CERTIFICATE for the entry of certain milk products under certain headings or subheadings of the combined nomenclature		
3. Buyer			
4. Number and date of invoice	5. Country of origin	6. Member State of destination	
IMPORTANT A. A separate certificate must be made out for each form of presentation of each product. B. The certificate must be in an official language of the European Community. It may also contain a translation into the official language or one official language of the exporting country. C. The certificate must be made out in accordance with the Community provisions in force. D. The original and, where appropriate, a copy of the certificate must be presented to the customs office in the Community at the time when the product is being put into free circulation.			
7. Marks, numbers, quantity and kind of packages; detailed description of product and particulars of its form of presentation	8. Gross weight (kg)	9. Net weight (kg)	
10. Raw material used			
11. Fat content by weight (%) in the dry matter			
12. Water content by weight (%) in the non-fatty matter			
13. Fat content by weight (%)			
14. Ripening period			
15. Community free-at-frontier price (EUR) per 100 kg net weight equal to or more than:			
16. Observations: (a) tariff quota ⁽¹⁾ (b) intended for processing ⁽¹⁾			
17. IT IS HEREBY CERTIFIED — that the particulars set out above accurate and comply with the Community provisions in force, — that for the products described above no discount, refund, or any other rebate has been or will be granted to the buyer which may lead to the product in question having a value less than the minimum import value fixed for such product ⁽²⁾			
18. Issuing body	Place	 year/month/day	
(Signature and stamp of issuing body)			

⁽¹⁾ Delete as appropriate.⁽²⁾ This clause is deleted for cheeses of sheep's or buffalo milk, for Glaris, Tilsit and Butterkäse and for special milk for infants.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

ANNEX X

IMA 1 CERTIFICATE

1. Seller	2. Serial No of issue	ORIGINAL	
	CERTIFICATE for the entry of certain New Zealand butter subject to the tariff quota referred to under quota No 09.4589 of Annex III(A)		
4. Number and date of invoice	5. Country of origin		
<p>IMPORTANT</p> <p>A. A separate certificate must be made out for each form of presentation of each product.</p> <p>B. The certificate must be in an official language of the European Community. It may also contain a translation into the official language or one official language of the exporting country.</p> <p>C. The certificate must be made out in accordance with the Community provisions in force.</p> <p>D. The original and, where appropriate, a copy of the certificate together with its corresponding import licence and a declaration for release for free circulation must be presented to the customs office in the Community at the time when the product is being released for free circulation.</p>			
7. Marks, numbers, number and kind of packages, detailed CN description and eight-digit CN code of the product preceded by 'ex' and particulars of its form of presentation. — See product-identification list attached, reference: — CN code ex 0405 10 — Butter, at least six weeks old, of a fat content by weight not less than 80 %, but less than 82 %, manufactured directly from milk or cream — Product purchasing specification — Factory registration No — Date of manufacture — Arithmetic mean of the tare weight of plastic wrapping		8. Gross weight (kg)	9. Net weight (kg)
10. Raw material used			
13. — Fat content by weight (%) — Typical-process standard deviation of the fat content of the butter made in the factory according to the product purchasing specification indicated in box 7 and its date of entry into force for the purpose of issuing IMA 1 certificates			
16. Observations: a) tariff quota (¹) b) intended for processing (¹)			
17. IT IS HEREBY CERTIFIED:			
— that the most recently manufactured butter covered by this certificate is/will be (¹) at least six weeks old since/on (¹)		_ _ _ _ Year/Month/Day	
— that the particulars set out above are accurate and comply with the Community provisions in force.			
— that the total quota for the year 200. is kg.			
18. Issuing body	Place	_ _ _ _ Year/Month/Day	
	Valid until	_ _ _ _ Year/Month/Day	
	(Signature and stamp of issuing body)		

(¹) Delete as appropriate.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

ANNEX XI

RULES FOR COMPLETING CERTIFICATES

In addition to boxes 1, 2, 4, 5, 9, 17 and 18 of the IMA 1 certificate, the following must be completed:

- A. As regards Cheddar cheeses listed under quota number 09.4513 in Annex IIIA and falling within CN code ex 0406 90 21:
1. box 3, by specifying the buyer;
 2. box 6, by specifying the country of destination;
 3. box 7, by specifying, as appropriate:
 - whole Cheddar cheeses
 - Cheddar cheese other than whole cheeses, of a net weight of not less than 500 g
 - Cheddar cheese other than whole cheeses, of a net weight of less than 500 g
 4. box 10, by specifying 'exclusively unpasteurised home-produced cows' milk';
 5. box 11, by specifying 'at least 50 %';
 6. box 14, by specifying 'at least nine months';
 7. box 15 and 16, by specifying the period for which the quota is valid.
- B. As regards Cheddar cheeses listed under quota numbers 09.4514 and 09.4521 in Annex III(A) and falling within CN code ex 0406 90 21:
1. box 7, by specifying 'whole Cheddar cheeses';
 2. box 10, by specifying 'exclusively home-produced cows' milk';
 3. box 11, by specifying 'at least 50 %';
 4. box 14, by specifying 'at least three months';
 5. box 16, by specifying the period for which the quota is valid.
- C. As regards Cheddar cheeses intended for processing listed under quota numbers 09.4515 and 09.4522 in Annex III(A) and covered by CN code ex 0406 90 01:
1. box 7, by specifying 'whole Cheddar cheeses';
 2. box 10, by specifying 'exclusively home-produced cows' milk';
 3. box 16, by specifying the period for which the quota is valid.
- D. As regards cheeses other than Cheddar cheese intended for processing listed under quota numbers 09.4515 and 09.4522 in Annex III(A) and covered by CN code ex 0406 90 01:
1. box 10, by specifying 'exclusively home-produced cows' milk';
 2. box 16, by specifying the period for which the quota is valid.

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

E. [F9]

F.]

G. [F8]

H.]

ANNEX XII

ISSUING BODIES

Third country	CN code and product description		Issuing body	
			Name	Location
Australia	0406 90 01 0406 90 21	Cheddar and other cheese for processing	Australian Quarantine Inspection Service	PO Box 60 World Trade Centre Melbourne VIC 3005
		Cheddar	Department of Agriculture, Fisheries and Forestry	Australia Tel.: (61 3) 92 46 67 10 Fax: (61 3) 92 46 68 00
Canada	0406 90 21	Cheddar	Canadian Dairy Commission Commission canadienne du lait	[F10] Building 55, NCC Driveway Central Experimental Farm 960 Carling Avenue Ottawa, Ontario K1A 0Z2 Telephone: 1 (613) 792-2000 Fax: 1 (613) 792-2009]

[F11]

[F8

F8]

New Zealand	ex 0405 10 11	Butter	[F1]New Zealand Food Safety Authority]	[F1]South Tower 68-86 Jervois Quay
	ex 0405 10 19	Butter	[F12]Ministry of Agriculture and Forestry]	PO Box 2835 Wellington
	ex 0405 10 30	Butter		New Zealand Telephone: (64-4) 463 2500

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

ex 0406 90 01	Cheese for processing	Fax: (64-4) 463 2501]
ex 0406 90 21	Cheddar	

Textual Amendments

- F10** Substituted by Commission Regulation (EC) No 1157/2003 of 30 June 2003 amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas, and derogating from that Regulation.
- F11** Deleted by Commission Regulation (EC) No 1036/2005 of 1 July 2005 amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas.
- F12** Deleted by Commission Regulation (EC) No 50/2004 of 9 January 2004 amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas, and derogating from that Regulation.

[^{F1}ANNEX XIII

CN code	Description ^a	Dry matter content by weight (%)	Fat content by weight (%) in the dry matter	Fat content by weight (%)
0406 10 20	Fresh cheese	58	71	
0406 30	Processed cheese	—	56	—
0406 90 01	Cheese for processing	65	52	
0406 90 13	Emmentaler	65	48	
0406 90 21	Cheddar	65	52	
0406 90 23	Edam	58	44	
0406 90 69	Hard cheeses	65	40	
0406 90 78	Gouda	59	50	
0406 90 81	Cantal, Cheshire, Wensleydale, etc...	64	52	
0406 90 99	Other cheeses			42

^a Despite the rules for the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only.]

Status: Point in time view as at 05/07/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001. (See end of Document for details)

[^{F4} ANNEX XIV]

Member State:

COMMISSION OF THE EUROPEAN COMMUNITIES
 DG AGRI/D/1 — MILK AND MILK PRODUCTS
 (Fax: (32-2) 295 33 10; e-mail: Agri-d1-milk@cec.eu.int)
APPLICATION OF ARTICLE 10 OF REGULATION (EC) No 2535/2001
Part A. Importers referred to in Article 10(2)

Member State (*)	Approval No	Name	Address	Telephone No	Fax No	E-mail

(*) B, DK, D, EL, E, F, IRL, I, L, NL, A, P, FIN, S, UK.

Part B. Other importers

Member State (*)	Approval No	Name	Address	Telephone No	Fax No	E-mail

(*) B, DK, D, EL, E, F, IRL, I, L, NL, A, P, FIN, S, UK.

Status:

Point in time view as at 05/07/2005.

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001.