Commission Implementing Regulation (EU) No 1335/2014 of 16 December 2014 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

COMMISSION IMPLEMENTING REGULATION (EU) No 1335/2014

of 16 December 2014

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

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007[(1)], and in particular Article 187 thereof,

Whereas:

(1) Commission Implementing Regulation (EU) No 1101/2014[(2)] provides for amendments in CN codes for dairy products of Chapter 4 with effect from 1 January 2015.

(2) Commission Regulation (EC) No 2535/2001[(3)] lays down detailed rules as regards the import arrangements for milk and milk products and opening tariff quotas. To reflect amendments in CN codes for dairy products, it is necessary to update Annexes I, II and VIIa to that Regulation.

(3) Article 4(2) of Regulation (EC) No 2535/2001 refers to CN codes which are deleted with effect from 1 January 2015. Moreover, Annex 3, relating to concessions regarding cheeses, to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products[(4)], approved by Decision 2002/309/EC, Euratom of the Council and of the Commission[(5)], provides for the full liberalisation of the bilateral trade in cheeses as from 2007. That provision is therefore obsolete and should be deleted.

(4) Article 19a(1)(c) and (4)(c) relating to Part 3 of Annex VIIa to Regulation (EC) No 2535/2001 and Article 20(1)(a)(ii) relating to Part C of Annex II to that Regulation concern respectively a cheese tariff quota and preferential imports in application of the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part[(6)], approved by Council Decision 2004/441/EC[(7)]. Those provisions refer to CN codes which are deleted with effect from 1 January 2015. Since the corresponding quota period and import duty elimination period have expired, it is appropriate to delete those provisions.

Changes to legislation: Commission Implementing Regulation (EU) No 1335/2014 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(5) Regulation (EC) No 2535/2001 should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2535/2001 is amended as follows:

(1) In Article 4, paragraph 2 is deleted;

(2) In Article 19a, paragraphs 1(c) and 4(c) are deleted;

(3) In Article 20, paragraph (1)(a)(ii) is deleted;

(4) Annex I is amended in accordance with Annex I to this Regulation;

(5) Annex II is amended as follows:

- (a) Part B is replaced by the text in Annex II to this Regulation;
- (b) Part C is deleted;

(6) Annex VIIa is amended as follows:

- (a) Part 3 is deleted;
- (b) Part 4 is replaced by the text in Annex III to this Regulation.

Article 2

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

It shall apply from 1 January 2015.

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

Done at Brussels, 16 December 2014.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** Commission Implementing Regulation (EU) No 1335/2014 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX I

Annex I to Regulation (EC) No 2535/2001 is amended as follows:

(1) Part I.A is replaced by the following:

I. A TARIFF QUOTAS NOT SPECIFIED BY COUNTRY OF ORIGIN

Quota number	CN code	Description[b]	Import duty(EUR/100 kg net weight)	Country of origin	Annual quota(in tonnes)	Six-monthly quota(in tonnes)
09.4590	0402 10 19	Skimmed-milk powder	47,50	All third countries	68 537	34 268,5
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	94,80	All third countries	11 360 in butter equivalent[a]	5 680
09.4591	ex 0406 10 30 ex 0406 10 50 ex 0406 10 80	Pizza cheese, frozen, cut into pieces each weighing not more than 1 gram, in containers with a net content of 5 kg or	13,00	All third countries	5 360	2 680

a 1 kg of 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.

Changes to legislation: *Commission Implementing Regulation (EU) No 1335/2014 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

		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	71,90	All third countries	18 438	9 219
	0406 90 13	Emmentaler	85,80			
09.4593	ex 0406 30 10	Processed Gruyère	71,90	All third countries	5 413	2 706,5
	0406 90 15	Gruyère, Sbrinz	85,80			
09.4594	0406 90 01[c]	Cheese for processing	83,50	All third countries	20 007	10 003,5
09.4595	0406 90 21	Cheddar	21,00	All third countries	15 005	7 502,5
09.4596	ex 0406 10 30 ex 0406 10 50 ex 0406 10 80	Fresh (unripened or uncured) cheese, including whey cheese, and curd, other than pizza cheese of quota	92,60 92,60 106,40	All third countries	19 525	9 762,5

a 1 kg of 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.

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	number 09.4591				
0406 20 00	Grated or powdered cheese	94,10			
0406 30 31	Other processed cheese, not grated or powdered	69,00			
0406 30 39		71,90			
0406 30 90		102,90			
0406 40 10 0406 40 50 0406 40 90	Blue-veined cheese and other cheese containing veins produced by *Penicillium roqueforti*	70,40			
0406 90 17	Bergkäse and Appenzell	85,80			
0406 90 18	Fromage Fribourgeois, Vacherin Mont d'Or and Tête de Moine	75,50			
0406 90 23	Edam	75,50			
0406 90 25	Tilsit	75,50			
0406 90 29	Kashkaval	75,50			

a	1 kg of 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.