



Rural Payments Agency

**Rural Payments Agency
Lancaster House, Hampshire Court, Newcastle upon Tyne, NE4 7YH**

26 August 2016

Notice To Traders 32/16

Milk and Milk Products

Quota Regarding Cheeses For Export To Designated Importers In The United States Of America (USA)

1. This notice is to tell you about the arrangements for exports of various cheeses to the USA for 2017.

Quantities Available

2. The quantities available for exports of various cheeses to the USA for 2017 will be:
 - 5,305.055 tonnes from the Tokyo Round; and
 - 10,771.000 tonnes from the Uruguay Round.
3. You must apply for an export licence if you want to claim these quotas.
4. The products included and the quantities available are listed in Annex I.

Some products groups shown in column 2 of Annex I are divided between the Uruguay Round (UR) quota and the Tokyo Round (TR) quota. You must apply for each quota separately.

Applications

5. Your application(s) must be for at least 10 Tonnes and not exceed 40% of the total quantity available for each product group (see columns 4 and 5 of Annex I).

However, applications for products falling within groups 22 and 25 can be up to the total quantity available.

6. You must state the following in box 20 of your application(s):

“For export to the United States of America: Quota for 2017 – Chapter III Section 2 of Regulation (EC) No 1187/2009.”

“Quota Identification:

7. You must apply between 1–9 September 2016. We must have received it by 12 noon (UK time) on 9 September 2016.

Additional Information

8. You must also provide:
 - the product group in accordance with additional notes 16-23 and 25 of Chapter 4 of the Harmonised Tariff Schedule of the United States;
the product name in accordance with the Harmonised Tariff Schedule of the United States; and
 - the name and address of the designated importer in the USA. To be eligible under these arrangements the importer must be a subsidiary of your company.

Annex II shows the format in which you should supply this information.

Additional Documentation

9. Your application(s) must be accompanied by:
 - a declaration from the designated importer that they are eligible under the rules in force in the USA on the issue of import licences for the products concerned;
 - evidence that you have exported the products in question to the USA in at least one of the last three years; and
 - a written declaration that you have not, and will not, apply for the same product group in the same quota round in any other Member State.

If we find that you have lodged more than one application for the same product group, all of your applications will be rejected.

Allocations

10. If the overall quantities applied for exceed the quantities available, the Commission will apply an allocation coefficient to all applications.
11. If the allocation coefficient would result in licences for less than 10 tonnes per application, the corresponding quantities available will be awarded by drawing lots. Lots will be drawn for licences of 10 tonnes each for those applicants who would have been allocated less than 10 tonnes further to applying the allocation coefficient.
12. If your application is rejected or the quantity awarded is less than you applied for, your security will be released in full or in part as appropriate.

13. If applications do not exceed a particular quota the Commission may offer the remaining quantities to applicants in proportion to quantities applied for.

In such cases you must tell us if you want to accept the extra quantities within 7 days of the publication of the allocation in the Official Journal. Additional security must be provided.

14. The Commission will notify Member States of their allocations by 31 October 2016. If your application is successful, we will issue your export licence by 15 December 2016 and it will be valid from 1 January until 31 December 2017.

Transfer of Rights

15. You cannot transfer your license rights.

Licence Obligations

16. Your licence will carry an obligation to export to the USA.

Licence Security

17. As there is no refund payable on exports to the United States of America the security required is €3/100kgs.

18. The security will be released upon receipt of:

- the electronic export declaration from HM Revenue & Customs, and
- transport proof as outlined within Commission Regulation 612/2009, article 17(3)

Authority

19. You can find details of these arrangements in Commission Regulations (EC) No. 1187/2009 and 521/2012 published in Official Journals L318 and L159 respectively.

You can find copies at Stationery Office bookshops and accredited agents, or you can order from the Stationery Office website (www.tso.co.uk). You can also access Official Journals electronically by visiting the Commission's website at (<http://eur-lex.europa.eu/en/index.htm>).

The Rural Payments Agency cannot provide any warranty as to the accuracy or completeness of the Europa website. Whilst every care has been taken in producing this guidance, the regulation as published is definitive.

Enquiries

20. If you have any questions about this notice please contact the Milk Exports section on:

- 03300 416 500;

or you can e-mail us at trader@rpa.gsi.gov.uk.

This publication was withdrawn on 19 June 2020