



27 August 2020

## **Notice to Traders 26/20**

### **Quota for Cheeses for Export to Designated Importers in the United States of America (USA)**

#### **Introduction**

This notice tells you about the arrangements for exports of various cheeses to the USA for 2021.

#### **Transition Period**

The UK has left the EU and the transition period will end on 31 December 2020. Therefore, if you are granted an export licence under this quota, we cannot guarantee that this licence will be accepted by USA authorities in 2021.

After the end of the transition period, the tariff rate quota for exports of cheese to USA will no longer be available to UK operators. Future export tariff rate quotas will need to be agreed between the UK and the USA. The UK Government is currently negotiating with the USA and if any export tariff rate quotas are agreed, we will issue a further Notice to Traders advising how these quotas will be managed.

To prepare your business for the end of the transition period please visit [www.gov.uk/transition](https://www.gov.uk/transition)

#### **Quantities Available**

The quantities available for exports of various cheeses to the USA for 2021 will be:

- 5,305,055 kilograms from the Tokyo Round; and
- 10,771,000 tonnes from the Uruguay Round.

You must apply for an export licence if you want to claim these quotas.

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

Each application you make must be for at least 10,000 kilograms and must 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.

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

“For export to the United States of America: Quota for 2021 – Chapter III  
Section 2 of Regulation (EC) No 1187/2009.”

“Quota Identification: .....”

You must apply between 1 and 10 September 2020. We must have received your application(s) by 12 noon (UK time) on 10 September 2020. It is your responsibility to ensure that your application and all supporting documentation are correct at the time of submission and they are received by the RPA, along with the correct amount of security, before 12 noon on 10 September.

**Note:** We will reject any application where securities and / or supporting documentation are received after 12 noon (UK time) on 10 September.

## Additional Information

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

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 your applications will be rejected.

## **Allocations**

If the overall quantities applied for exceed the quantities available, the Commission will apply an allocation coefficient to all applications.

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 as a result of applying the allocation coefficient.

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.

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 on the Europa website. Additional security must be provided.

The Commission will notify Member States of their allocations by 31 October 2020. If your application is successful, we will issue your export licence by 15 December 2020 and it will be valid from 1 January until 31 December 2021.

## **Transfer of Rights**

You cannot transfer the rights on your license.

## **Licence Obligations**

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

## **Licence Security**

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

The security will be released upon receipt of:

- The electronic export declaration from HM Revenue & Customs, and
- Transport proof as outlined in Commission Regulation 612/2009, Article 17(3)

## **Authority**

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 obtain copies from Stationery Office bookshops and accredited agents, or order from the [Stationery Office](#).

You can also access Official Journals electronically by visiting the Commission's [Europa website](#). We are not responsible for the accuracy or completeness of the Europa website. Whilst every care has been taken in producing this guidance, the regulations as published are definitive.

## **Enquiries**

If you have any questions about this notice please contact the Trader Team on:

- 03300 416 500 and select Option 2; or
- Email us at [trader@rpa.gov.uk](mailto:trader@rpa.gov.uk)

## Annex I: Additional quotas of cheese for export to the USA under the designated importers scheme

Group number (1) <sup>1</sup>	Product group (2) <sup>1</sup>	Quota identification (3)	Quantity available in 2021 (kg) (4)	Maximum quantity per application (kg) (5)
16	Not specifically provided for (NSPF)	16 - TOKYO	908 877	363 550
		16 - URUGUAY	3 446 000	1 378 400
17	Blue Mould	17 - URUGUAY	350 000	140 000
18	Cheddar	18 - URUGUAY	1 050 000	420 000
20	Edam/Gouda	20 - URUGUAY	1 100 000	440 000
21	Italian Type	21 - URUGUAY	2 025 000	810 000
22	Swiss or Emmenthaler cheese other than with eye formation	22 - TOKYO	393 006	393 006
		22 - URUGUAY	380 000	380 000
25	Swiss or Emmenthaler cheese with eye formation	25-TOKYO	4 003 172	4 003 172
		25-URUGUAY	2 420 000	2 420 000

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<sup>1</sup> Identification of group in accordance with additional notes in chapter 4 of the harmonised tariff schedule of the USA