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# REGULATION (EEC) No 1434/69 OF THE COMMISSION

## of 24 July 1969

## on the classification of goods under sub-headings Nos 11.01 E II and 11.02 A V (b) of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 97/69[1] of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff, and in particular Article 3 thereof;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68[2] of 28 June 1968, as last amended by Council Regulation (EEC) No 1195/69[3] of 26 June 1969, comprises under sub-heading No 11.01 E II maize flour having a fat content exceeding 1·5% by weight and under sub-heading No 11·02 A V (b) maize groats and meal having a fat content exceeding 1·5% by weight;

Whereas provision must be made to ensure uniform application of the nomenclature of the Common Customs Tariff with a view to classification of products obtained by crushing or milling whole maize cobs (stalks and grains) having, in particular, a content by weight of about 50% starch, 7% protein, 6% raw cellulose, 3% fats, 1·4% minerals (ash) and 10% moisture;

Whereas heading No 11.01 applies to flours obtained from the cereals of Chapter 10 of the Common Customs Tariff; whereas, in accordance with the General Explanatory Note to Chapter 10 of the Brussels Nomenclature, that Chapter also includes cereals in the ear;

Whereas heading No 11.02 applies in particular to groats and meal obtained from the same cereals; whereas it is appropriate to distinguish between that heading and heading No 11.01 by reference to the proportion of the goods in question which will pass through a mesh of a given size;

Whereas the provisions of this Regulation are in accordance with the Opinion of the Committee on the Common Customs Tariff Nomenclature;

HAS ADOPTED THIS REGULATION:

*Article 1*

Products obtained by crushing or milling whole maize cobs (stalks and grains) having, in particular, a content by weight of about 50% starch, 7% protein, 6% raw cellulose, 3% fats, 1·4% minerals (ash) and 10% moisture shall be classified under:

Common Customs Tariff sub-heading No 11.01:

Cereal flours:

E. Maize flour

II. Other

when 90% or more by weight thereof passes through a 500-micron mesh: and;

Common Customs Tariff sub-heading No 11.02:

Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished,

[1] OJ NO I 14, 21.1.1969, p. 1.
[2] OJ No L 172, 22.7.1968.
[3] OJ No L 157, 28.6.1969, p. 8.

pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground:

A. Cereal groats and cereal meal:

V. Of maize:

(b) Other

when less than that percentage of the products passes through the mesh.

*Article 2*

This Regulation shall enter into force on the tenth day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 24 July 1969.

*For the Commission*

*The President*

Jean REY