I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 832/76

of 6 April 1976

amending Regulations No 359/67/EEC, (EEC) No 950/68, (EEC) No 3330/74, (EEC) No 2727/75 and (EEC) No 2744/75 on the tariff nomenclature of certain cereal, rice, beef and veal and sugar products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals [1], as amended by Regulation (EEC) No 3058/75 [2], and in particular Article 14 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament [3],

Whereas the tariff headings for certain cereal, beef and veal and sugar products may for simplification be regrouped both for trade and competent authorities without economic difficulties; whereas Council Regulation No 359/67/EEC of 25 July 1967 on the common organization of the market in rice [4], as last amended by Regulation (EEC) No 668/75 [5], Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff [6], as last amended by Regulation (EEC) No 3366/75 [7], Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar [8], as last amended by Regulation (EEC) No 3058/75, Council Regulation (EEC) No 2727/75, and Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice [9], should be amended or adapted,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex A to Regulation (EEC) No 2727/75 the entries under heading Nos 11.01 and 11.02 shall be replaced by the following:

[1] OJ No L 281, 1. 11. 1975, p. 1.
[2] OJ No L 306, 26. 11. 1975, p. 3.
[3] OJ No C 53, 8. 3. 1976, p. 43.
[4] OJ No 174, 31. 7. 1967, p. 1.
[5] OJ No L 72, 20. 3. 1975, p. 18.
[6] OJ No L 172, 22. 7. 1968, p. 1.
[7] OJ No L 333, 30. 12. 1975, p. 13.
[8] OJ No L 359, 31. 12. 1974, p. 1.
[9] OJ No L 281, 1. 11. 1975, p. 65.

CCT heading No	Description of goods
'ex 11.01	Cereal flours:
	C. Barley flour
	D. Oat flour
	E. Maize flour
	G. Other
ex 11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled, or kibbled but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground:
	ex. A. Cereal groats and cereal meal, except groats and meal of wheat and rice
	B. Hulled grains (shelled or husked) whether or not sliced or kibbled
	C. Pearled grains
	D. Grains not otherwise worked than kibbled
	ex. E. Rolled grains; flaked grains, except flaked rice
	ex. F. Pellets, except rice pellets
	G. Germ of cereals, whole, rolled, flaked or ground'

Article 2

Regulation (EEC) No 2744/75 shall be amended as follows:

1. In Article 9 (1) '11.01 C to L' shall be replaced by '11.01 C to G'.

2. Annex I shall be replaced by Annex I to this Regulation.

Article 3

In Article 1 (1) (c) of Regulation No 359/67/EEC, '11.02 E II e) 1' shall be replaced by '11.02 E II d) 1'.

Article 4

Regulation (EEC) No 3330/74 shall be amended as follows:

1. In Article 43 '17.01 B I and 17.01 B II' shall be replaced by '17.01'.

2. In Article 46 (2) (a) '17.01 B II b)' shall be replaced by '17.01 B II'.

Article 5

Regulation (EEC) No 950/68 shall be amended as follows:

1. The last line of note 2 (A) of Chapter 11 shall be replaced by the following:

— in the Danish version:

'Kim af korn, hele, valset, i flager eller formalet, hører altid under pos. 11.02';

— in the German version:

'Jedoch gehören Getreidekeime, ganz, gequetscht, als Flocken oder gemahlen, zu Tarifnr. 11.02';

— in the French version:

'Toutefois, les germes de céréales, entiers, aplatis, en flocons ou moulus, relèvent en tout cas du n° 11.02';

— in the Italian version:

'I germi di cereali, interi, schiacciati, in fiocchi o macinati sono comunque da classificate nella voce n. 11.02';

— in the Dutch version:

'Graankiemen, ook indien geplet, in vlokken of gemalen, vallen in elk geval onder post 11.02'.

2. The entries under heading Nos 01.02 11.01, 11.02, 11.06, 11.09, 17.01 and 23.02 shall be replaced by those set out in Annex II to this Regulation.

Article 6

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

It shall apply from 1 July 1976.

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

Done at Luxembourg, 6 April 1976.

For the Council

The President

J. HAMILIUS

ANNEX I

CCT heading No	Description	Basic product	Coefficient	Fixed component u.a./metric ton
1	2	3	4	5
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith:			
	A. Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes	Barley	0·18	—
11.01	Cereal flours (1):			
	C. Barley flour	Barley	1·80	5·00
	D. Oat flour	Oats	1·80	5·00
	E. Maize flour:			
	I. Of a fat content exceeding 1·5 % by weight	Maize	1·80	5·00
	II. Other	Maize	1·02	2·50
	F. Rice flour	Broken rice	1·06	2·50
	G. Other	Sorghum	1·02	2·50
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground (1):			
	A. Cereal groats and cereal meal:			
	II. Rye	Rye	1·80	5·00
	III. Barley	Barley	1·80	5·00
	IV. Oats	Oats	1·80	5·00
	V. Maize:			
	a) Of a fat content not exceeding 1·5 % by weight:			
	1. For the brewing industry (a)	Maize	1·80	5·00
	2. Other	Maize	1·80	5·00
	b) Other	Maize	1·02	2·50

(1) To distinguish between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, those products having:
(a) a starch content (determined by the modified Ewers polarimetric method) exceeding 45 % in weight of dry product, and
(b) an ash content (by weight of dry matter after deduction of any added mineral substances of not more than 1·6 % for rice, 2·5 % for wheat and rye, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for all other cereals
shall be considered as falling within heading Nos 11.01 and 11.02.
Germ of cereals, whole, rolled, flaked or ground falls in all cases within heading No 11.02.

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Basic product	Coefficient	Fixed component u.a./metric ton
1	2	3	4	5
11.02 *(cont'd)*	VI. Rice	Broken rice	1·06	2·50
	VII. Other	Sorghum	1·02	2·50
	B. Hulled grains (shelled or husked), whether or not sliced or kibbled:			
	I. Barley and oats:			
	a) Hulled (shelled or husked):			
	1. Barley	Barley	1·60	2·50
	2. Oats:			
	aa) Clipped oats	Oats	1·02	2·50
	bb) Other	Oats	1·80	2·50
	b) Hulled and sliced or kibbled ('Grütze' or 'grutten'):			
	1. Barley	Barley	1·60	2·50
	2. Oats	Oats	1·80	2·50
	II. Other cereals:			
	a) Wheat	Common wheat	1·33	2·50
	b) Rye	Rye	1·33	2·50
	c) Maize	Maize	1·60	2·50
	d) Other	Sorghum	1·60	2·50
	C. Pearled grains:			
	I. Wheat	Common wheat	1·60	2·50
	II. Rye	Rye	1·60	2·50
	III. Barley	Barley	2·50	5·00
	IV. Oats	Oats	1·60	2·50
	V. Maize	Maize	1·60	2·50
	VI. Other	Sorghum	1·60	2·50
	D. Grains, not otherwise worked than kibbled:			
	I. Wheat	Common wheat	1·02	2·50
	II. Rye	Rye	1·02	2·50
	III. Barley	Barley	1·02	2·50
	IV. Oats	Oats	1·02	2·50
	V. Maize	Maize	1·02	2·50
	VI. Other	Sorghum	1·02	2·50
	E. Rolled grains; flaked grains:			
	I. Barley and oats:			
	a) Rolled:			
	1. Barley	Barley	1·02	2·50
	2. Oats	Oats	1·02	2·50
	b) Flaked:			
	1. Barley	Barley	2·00	5·00
	2. Oats	Oats	2·00	5·00
	II. Other cereals:			
	a) Wheat	Common wheat	1·80	5·00
	b) Rye	Rye	1·80	5·00
	c) Maize	Maize	1·80	5·00

CCT heading No	Description	Basic product	Coefficient	Fixed component u.a./metric ton
1	2	3	4	5
11.02 *(cont'd)*	d) Other:			
	1. Flaked rice	Broken rice	1·80	5·00
	2. Other	Sorghum	1·80	5·00
	F. Pellets:			
	I. Wheat	Common wheat	1·80	5·00
	II. Rye	Rye	1·80	5·00
	III. Barley	Barley	1·80	5·00
	IV. Oats	Oats	1·80	5·00
	V. Maize	Maize	1·80	5·00
	VI. Rice	Broken rice	1·06	2·50
	VII. Other	Sorghum	1·02	2·50
	G. Germ of cereals, whole, rolled, flaked or ground:			
	I. Wheat	Common wheat	0·75	5·00
	II. Other	Maize	0·75	5·00
11.06	Flours and meal of sago and of manioc, arrowroot salep and other roots and tubers falling within heading No 07.06:			
	A. Denatured (a)	Barley	0·18	2·50
	B. Other:			
	I. For the manufacture of starches (a)	Maize	1·61	17·00
	II. Other	Maize	1·61	17·00
11.07	Malt, roasted or not:			
	A. Unroasted:			
	I. Obtained from wheat:			
	a) In the form of flour	Common wheat	1·78	9·00
	b) Other	Common wheat	1·33	9·00
	II. Other:			
	a) In the form of flour	Barley	1·78	9·00
	b) Other	Barley	1·33	9·00
	B. Roasted	Barley	1·55	9·00
11.08	Starches; inulin:			
	A. Starches:			
	I. Maize starch	Maize	1·61	17·00
	II. Rice starch	Broken rice	1·52	25·50
	III. Wheat starch	Common wheat	2·20	17·00
	IV. Potato starch	Maize	1·61	17·00
	V. Other	Maize	1·61	17·00

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Basic product	Coefficient	Fixed component u.a./metric ton
1	2	3	4	5
11.09	Wheat gluten, whether or not dried	Common wheat	4·00	150·00
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel:			
	B. Glucose and glucose syrup:			
	II. Other:			
	a) Gluose in the form of white crystalline powder, whether or not agglomerated	Maize	2·10	80·00
	b) Other	Maize	1·61	55·00
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion:			
	B. Glucose and glucose syrup:			
	I. Glucose in the form of white crystalline powder whether or not agglomerated	Maize	2·10	80·00
	II. Other	Maize	1·61	55·00
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables:			
	A. Of cereals:			
	I. Of maize or rice:			
	a) With a starch content not exceeding 35 % by weight	Common wheat	0·10	0
		Barley	0·10	
		Maize	0·10	
	b) Other	Common wheat	0·32	0
		Barley	0·32	
		Maize	0·32	
	II. Of other cereals:			
	a) Of which the starch content does not exceed 28 % by weight, and of which the portion which passes through a sieve with an aperture of 0·2 mm does not exceed 10 % by weight or otherwise the portion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1·5 % by weight	Common wheat	0·08	0
		Barley	0·08	
		Maize	0·08	
	b) Other	Common wheat	0·32	0
		Barley	0·32	
		Maize	0·32	
23.03	Beet pulp, bagasse and other waste of sugar manufacture; brewing and distilling dregs and waste; residues of starch manufacture and similar residues:			
	A. Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product:			
	1. Exceeding 40 % by weight	Maize	2·00	150·00

ANNEX II

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
01.02	**Live animals of the bovine species:**		
	A. Domestic species:		
	I. Pure-bred breeding animals (a)	Free	Free
	II. Other:		
	a) Calves	16 (b) + (L) (*)	—
	b) Other:		
	1. Not yet having any permanent teeth, of weight of not less than 350 kg but not more than 450 kg in the case of male animals or of not less than 320 kg but not more than 420 kg in the case of female animals (a)	16 + (L) (*)	(c)
	2. Other	16 (d) + (L)(*)	(e) (f)
	B. Other	Free	—
11.01	**Cereal flours:**		
	A. Wheat or meslin flour	30 (g) (L)	—
	B. Rye flour	8 (L)	—
	C. Barley flour	8 (L)	—
	D. Oat flour	8 (L)	—
	E. Maize flour:		
	I. Of a fat content not exceeding 1·5 % by weight	8 (L)	—
	II. Other	8 (L)	—
	F. Rice flour	14 (L)	—
	G. Other	8 (L)	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) This rate is reduced to 4 % in respect of calves of a weight of less than 80 kg, intended for fattening, subject to certain conditions prescribed by Article 11 (as amended) of Council Regulation (EEC) No 805/68 of 27 June 1968.

(c) The levy shall be established in accordance with the provisions set out in Protocol 1 appended to the trade agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

(d) This rate is reduced to 8 % in respect of young male animals of a weight of not less than 220 kg but not more than 300 kg, intended for fattening, subject to certain conditions prescribed by Article 11 (as amended) of Council Regulation (EEC) No 805/68 of 27 June 1968.

(e) A rate of 6 % is applicable within the limits of an annual tariff quota, to be granted by the competent authorities of the European Communities, of 20 000 heifers and cows (other than for slaughter) of the following mountain breeds; grey, brown, yellow, spotted Simmental and Pinzgau. Qualification for quota is subject to conditions to be determined by the competent authorities of the Member States of destination.

(f) A rate of 4 % is applicable within the limits of an annual tariff quota, to be granted by the competent authorities of the European Communities, of 5 000 bulls, cows and heifers (other than for slaughter) of the following breeds: spotted Simmental, Schwyz and Fribourg. To qualify for the quota, animals of the breeds specified must be covered by the following documents:

— bulls: pedigree certificate;

— cows and heifers: pedigree certificate or herd book entry certificate attesting to the purity of the breed.

(g) The autonomous duty for flour of meslin (mixed wheat and rye) is 13 %.

(*) In certain conditions, a levy is applicable in addition to the customs duty.

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
11.02	**Cereal groats and cereal meal; other worked cereal grains (for example rolled, flaked, polished, 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:		
	I. Wheat:		
	a) Durum wheat	30 (L)	—
	b) Common wheat	30 (L)	—
	II. Rye	25 (L)	—
	III. Barley	23 (L)	—
	IV. Oats	23 (L)	—
	V. Maize:		
	a) Of a fat content not exceeding 1·5 % by weight:		
	1. For the brewing industry (a)	23 (L)	—
	2. Other	23 (L)	—
	b) Other	23 (L)	—
	VI. Rice	23 (L)	—
	VII. Other	23 (L)	—
	B. Hulled grains (shelled or husked), whether or not sliced or kibbled:		
	I. Barley and oats:		
	a) Hulled (shelled or husked):		
	1. Barley	23 (L)	—
	2. Oats:		
	aa) Clipped oats:	23 (L)	—
	bb) Other	23 (L)	—
	b) Hulled and sliced or kibbled ('Grütze' or 'grutten'):		
	1. Barley	23 (L)	—
	2. Oats	23 (L)	—
	II. Other cereals:		
	a) Wheat	30 (L)	—
	b) Rye	25 (L)	—
	c) Maize	23 (L)	—
	d) Other	23 (L)	—
	C. Pearled grains:		
	I. Wheat	30 (L)	—
	II. Rye	25 (L)	—
	III. Barley	23 (L)	—
	IV. Oats	23 (L)	—
	V. Maize	23 (L)	—
	VI. Other	23 (L)	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
11.02 *(cont'd)*	D. Grains not otherwise worked than kibbled:		
	I. Wheat	30 (L)	—
	II. Rye	25 (L)	—
	III. Barley	23 (L)	—
	IV. Oats	23 (L)	—
	V. Maize	23 (L)	—
	VI. Other	23 (L)	—
	E. Rolled grains; flaked grains:		
	I. Barley and oats:		
	a) Rolled:		
	1. Barley	23 (L)	—
	2. Oats	23 (L)	—
	b) Flaked:		
	1. Barley	28 (L)	—
	2. Oats	28 (L)	—
	II. Other cereals:		
	a) Wheat	30 (L)	—
	b) Rye	25 (L)	—
	c) Maize	23 (L)	—
	d) Other:		
	1. Flaked rice	23 (L)	—
	2. Other	23 (L)	—
	F. Pellets:		
	I. Wheat	30 (L)	—
	II. Rye	25 (L)	—
	III. Barley	23 (L)	—
	IV. Oats	23 (L)	—
	V. Maize	23 (L)	—
	VI. Rice	23 (L)	—
	VII. Other	23 (L)	—
	G. Germ of cereals, whole, rolled, flaked or ground:		
	I. Wheat	30 (L)	—
	II. Other	30 (L)	—
11.06	**Flours and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06:**		
	A. Denatured (a)	28 (L)	—
	B. Other:		
	I. For the manufacture of starches (a)	28 (L)	—
	II. Other:	28 L)	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
11.09	**Wheat gluten, whether or not dried**	27 (L)	—
17.01	**Beet sugar and cane sugar, solid:**		
	A. White sugar	80 (L)	—
	B. Raw sugar:		
	I. For refining (a)	80 (L)	—
	II. Other	80 (L)	—
23.02	**Bran, sharps and other residues derived from sifting, milling or working of cereals or of leguminous vegetables:**		
	A. Of cereals:		
	I. Of maize or rice:		
	a) With a starch content not exceeding 35 % by weight	21 (L)	—
	b) Other	21 (L)	—
	II. Of other cereals:		
	a) Of which the starch content does not exceed 28 % by weight, and of which the portion that passes through a sieve with an aperture of 0·2 mm does not exceed 10 % by weight or otherwise the portion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1·5 % by weight	21 (L)	—
	b) Other	21 (L)	—
	B. Of leguminous vegetables	8	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.