COMMISSION REGULATION (EEC) No 3556/81

of 8 December 1981

on the classification of goods falling within subheading 11.02 D V 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 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff [1], as last amended by the Act of Accession of Greece, and in particular Article 3 thereof,

Whereas, in order to ensure uniform application of the nomenclature of the Common Customs Tariff, provisions must be laid down concerning the tariff classification of a product recovered during sifting of maize grains and consisting of broken maize (kibbled) grains, a small quantity of deformed, undersized maize grains and between 4 and 5 % of other seeds, having a starch content (determined by the modified Ewers polarimetric method) of 66·5 % by weight on the dry product, an ash content of 1·7 % by weight on the dry product, and of which less than 95 % by weight will pass through a sieve with an aperture of 2 mm;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68 [2], as last amended by Council Regulation (EEC) No 3300/81 [3], provides for the classification under subheading 11.02 D V of maize grains not otherwise worked than kibbled;

Whereas the product in question has not, by virtue of the presence of a small quantity of deformed, undersized maize grains and of between 4 and 5 % of other seeds, lost the character of maize grains not otherwise worked than kibbled of subheading 11.02 D V;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The product, recovered during sifting of maize grains and consisting of broken maize (kibbled) grains, a small quantity of deformed, undersized maize grains and between 4 and 5 % of other seeds, having a starch content (determined by the modified Ewers polarimetric method) of 66·5 % by weight on the dry product, an ash content of 1·7 % by weight on the dry product, and of which less than 95 % by weight will pass through a sieve with an aperture of 2 mm, shall be classified in the Common Customs Tariff under subheading:

11.02 Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled but not further prepared), except rice falling within heading No 10.06; germ of cereals, whole, rolled, flaked or ground:

D. Grains not otherwise worked than kibbled:

V. Maize

Article 2

This Regulation shall enter into force on the 21st 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, 8 December 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

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[1] OJ No L 14, 21. 1. 1969, p. 1.
[2] OJ No L 172, 22. 7. 1968, p. 1.
[3] OJ No L 335, 23. 11. 1981, p. 1.