COMMISSION REGULATION (EEC) No 3147/85

of 12 November 1985

on the tariff classification of certain poultry cuts and amending Regulation (EEC) No 950/68 on 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 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat (1), as last amended by the Act of Accession of Greece, and in particular Articles 3 and 5 (3) thereof,

Whereas partly boned poultry, cuts have recently come to account for an important part of the world's trade in poultrymeat;

Whereas according to the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68 (2), as last amended by Regulation (EEC) No 3068/85 (3), unboned poultry cuts fall within subheading 02.02 B II;

Whereas partly boned poultry cuts are not of the same type and value as unprocessed, unboned poultry cuts which fall within subheadings 02.02 B II a) to e) of the Common Customs Tariff; whereas they should therefore be classified in subheading 02.02 B II g);

Whereas the tariff nomenclature applicable as a result of Regulation (EEC) No 2777/75 is set out in the Common Customs Tariff; whereas it should therefore be amended;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of applying levies in the poultrymeat sector:

1. 'Poultry cuts, unboned (bone-in)', for the purposes of subheadings 02.02 B II a), b), c), d), and e) of the Common Customs Tariff shall be taken to mean the cuts specified therein, including all bones;

2. Poultry cuts as referred to in paragraph 1 which have been partly boned shall be classified in subheading 02.02 B II g) of the Common Customs Tariff.

Article 2

The following Additional Note 7 is hereby added in Chapter 2 of the Common Customs Tariff set out in the Annex to Regulation (EEC) No 950/68:

'7. (a) For the purposes of subheadings 02.02 B II a), b), c), d) and e), "poultry cuts, boned (bone-in)", shall be taken to mean the cuts specified therein, including all bones.

(b) Poultry cuts as referred to in (a) which have been partly boned shall fall within subheading 02.02 B II g).'

Article 3

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 12 November 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

(1) OJ No L 282, 1. 11. 1975, p. 77.
(2) OJ No L 172, 22. 7. 1968, p. 1.
(3) OJ No L 292, 2. 11. 1985, p. 1.