COMMISSION REGULATION (EEC) No 1463/87

of 26 May 1987

on the classification of goods under subheading 11.08 A I 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 Regulation (EEC) No 2055/84 [2], and in particular Article 3 thereof,

Whereas, to ensure uniform application of the nomenclature of the Common Customs Tariff, provision should be made for the classification of products in the form of fine, white powder consisting of :

— native maize starch, or

— a mixture of native maize starch and small quantities of acetylated maize starch, or

— very weakly acetylated maize starch,

and having the following analytical characteristics :

— starch content (determined by the Ewers method) : approximately 95 % or more by weight on the dry product,

— acetyl content (determined by the enzyme method) : not more than 0,25 % by weight on the dry product.

Whereas heading No 11.08 of the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68 [3], as last amended by Regulation (EEC) No 750/87 [4], refers *inter alia* to starches ;

Whereas heading No 39.06 refers *inter alia* to other high polymers, artificial resins and artificial plastic materials ;

Whereas the products in question, because of their characteristics (in particular the low acetyl content), cannot be regarded as goods falling within heading No 39.06 ;

Whereas these products display or have retained the characteristics of goods falling within heading No 11.08 and must therefore be classified in that heading ; whereas within that heading subheading 11.08 A I should be selected ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Products in the form of a fine white powder consisting of :

— native maize starch, or

— a mixture of native maize starch and small quantities of acetylated maize starch, or

— very weakly acetylated maize starch,

and having the following analytical characteristics :

— starch content (determined by the Ewers method) : approximately 95 % or more by weight on the dry product,

— acetyl content (determined by the enzyme method) : not exceeding 0,25 % by weight on the dry product,

shall be classified in the Common Customs Tariff under subheading :

11.08 Starches ; inulin :

A. Starches :

I. Maize starch.

Article 2

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities.*

(1) OJ No L 14, 21. 1. 1969, p. 1.
(2) OJ No L 191, 19. 7. 1984, p. 1.
(3) OJ No L 172, 22. 7. 1968, p. 1.
(4) OJ No L 76, 18. 3. 1987, p. 1.

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

Done at Brussels, 26 May 1987.

For the Commission

COCKFIELD

Vice-President