COMMISSION REGULATION (EEC) No 3743/87

of 14 December 1987

amending Council Regulation (EEC) No 3033/80 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (1), and in particular Article 15 thereof,

Whereas the Community is a signatory to the International Convention on the Harmonized Commodity Description and Coding System, hereinafter called the 'Harmonized System', which is to replace the Convention of 15 December 1950 on Nomenclature for the Classification of Goods in Customs Tariffs;

Whereas a combined nomenclature of goods is to be introduced with effect from 1 January 1988 based on the harmonized system nomenclature which will satisfy simultaneously the requirements both of the Common Customs Tariff and of the statistics of the Community's external trade and of trade between Member States;

Whereas the tariff nomenclature resulting from the application of Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products (2) is contained in the Common Customs Tariff; whereas, consequently it is necessary to draw up the descriptions of goods and the tariff numbers appearing in that Regulation in accordance with terms of the combined nomenclature based on the harmonized system,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3033/80 is hereby amended as follows:

1. In the last recital, '35.01 A' and '35.01 C' are replaced by '3501 10' and '3501 90 90'.

2. Article 2 is replaced by the following:

'Article 2

The following shall be considered basic products:

CN code	Description of the basic products
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter
0405	Butter and other fats and oils derived from milk
Chapter 10	Cereals
1701	Cane or beet sugar and chemically pure sucrose, in solid form
1703	Molasses resulting from the extraction or refining of sugar'

3. In Article 3,

— point (a) is replaced by the following:

'(a) goods made from potato starch (subheading 1108 13), from the starches of roots and tubers falling within heading No 0714 (subheadings 1108 14 and 1108 19 90) and from flour and meal falling within subheading 1106 20 of the combined nomenclature shall be considered to be manufactured from cereals';

— the beginning of point (b) is amended as follows:

'(b) goods made from milk, not concentrated or sweetened with sugar or other sweetening agents, having a milk fat content ...';

— the beginning of point (c) is amended as follows:

'(c) goods made from milk or cream, not concentrated or sweetened with sugar or other sweetening agents, having a milk fat content ...';

— point (d) is replaced by the following:

'(d) goods made from isoglucose (subheadings 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30) shall be considered to be made from sugar.'

(1) OJ No L 256, 7. 9. 1987, p. 1.
(2) OJ No L 323, 29. 11. 1980, p. 1.

4. In Article 4, paragraph 2, the last reference becomes 'procedure laid down in Article 9 of Regulation (EEC) No 2658/87.'

5. In Article 8, paragraph 1, the last reference becomes 'procedure referred to in Article 11 (1) of Regulation (EEC) No 2658/87.'

6. In Article 16 :

— subheading '35.01 A' of the Common Customs Tariff is replaced by '3501 10' of the combined nomenclature,

— subheading '35.01 C' of the Common Customs Tariff is replaced by '3501 90 90' of the combined nomenclature.

7. The Annex is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 14 December 1987.

For the Commission

COCKFIELD

Vice-President

ANNEX

'ANNEX

CN code	Description
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa :
0403 10 51 to 0403 10 99	— Yoghurt, flavoured or containing added fruit or cocoa
0403 90 71 to 0403 90 99	— Other, flavoured or containing added fruit or cocoa
0710 40 00	Sweet corn (uncooked or cooked by steaming or boiling in water), frozen
0711 90 30	Sweet corn provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
ex 1517	Margarine ; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516 :
1517 10 10	— Margarine, excluding liquid margarine containing more than 10 % but not more than 15 % by weight of milk fats
1517 90 10	— Other, containing more than 10 % but not more than 15 % by weight of milk fats
ex 1704	Sugar confectionery (including white chocolate), not containing cocoa ; excluding liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, falling within subheading No 1704 90 10
1806	Chocolate and other food preparations containing cocoa
1901	Malt extract ; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included ; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included
ex 1902	Pasta, whether or not cooked or otherwise prepared excluding stuffed pasta falling within subheadings 1902 20 10 and 1902 20 30
1903	Tapioca and substitutes therefor, prepared from starch in the form of flakes, grains, pearls, siftings or similar forms
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example corn flakes) ; cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared
1905	Bread, pastry, cakes, biscuits and other bakers'wares, whether or not containing cocoa, communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
2001 90 30	Sweet corn prepared or preserved by vinegar or acetic acid
2001 90 40	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, prepared or preserved by vinegar or acetic acid
2004 90 10	Sweet corn prepared or preserved otherwise than by vinegar or acetic acid ; frozen
2005 80 00	Sweet corn *(Zea mays* var. *saccharata)* prepared or preserved otherwise than by vinegar or acetic acid ; not frozen

CN code	Description
ex 2005 90 90	Sweet corn (other than *Zea mays* var. *saccharata)* prepared or preserved otherwise than by vinegar or acetic acid ; not frozen
2008 99 85	Sweet corn, otherwise prepared or preserved, not containing added spirit or added sugar
2008 99 91	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, otherwise prepared or preserved, not containing added spirit or added sugar
2101 30 19	Roasted coffee substitutes excluding roasted chicory
2101 30 99	Extracts, essences and concentrates of roasted coffee substitutes excluding those of roasted chicory
2102 10 31 to 2102 10 39	Bakers' yeast
2105	Ice cream and other edible ice, whether or not containing cocoa
ex 2106	Food preparations not elsewhere specified or included other than those falling within subheadings 2106 10 10 and 2106 90 91 and other than flavoured or coloured sugar syrups
2202 90 91 2202 90 95 2202 90 99	Non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009, containing products of Nos 0401 to 0404 or obtained from products of heading Nos 0401 to 0404
2905 43	Mannitol
2905 44	D-Glucitol (sorbitol)
ex 3501	Caseins caseinates and other casein derivatives
ex 3505 10	Dextrins and other modified starches, excluding esterified or etherified starches of subheading 3505 10 50
3505 20	Glues based on starches or on dextrins or other modified starches
3809 10	Prepared glazings and prepared dressings with a basis of amylaceous substances
3823 60	Sorbitol other than of subheading 2905 44'