COMMISSION REGULATION (EEC) No 166/89

of 24 January 1989

amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2727/75 of the Council on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 2221/88 (2), and in particular Article 16 (6) thereof,

Whereas Annex B to Regulation (EEC) No 2727/75 lists goods which may qualify for an export refund for the cereals they contain;

Whereas that Annex does not include certain products obtained from cereal glucose; whereas those products are in competition with products obtained from sugar qualifying for the export refund provided for by the market organization in sugar;

Whereas provision should accordingly be made for the said products to qualify for the export refund also by extending Annex B to Regulation (EEC) No 2727/75;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex B to Regulation (EEC) No 2727/75 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on the third 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, 24 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 197, 26. 7. 1988, p. 16.

ANNEX

'ANNEX B

CN code	Description
ex 0403	Buttermilk, curdled milk and cream, yogurt, 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 or cocoa :
ex 0403 10	– Yogurt
	– – Flavoured or containing added fruit or cocoa :
	– – – In powder, granules or other solid forms, of a milk fat content by weight :
0403 10 51	– – – – Not exceeding 1,5 %
0403 10 53	– – – – Exceeding 1,5 % but not exceeding 27 %
0403 10 59	– – – – Exceeding 27 %
	– – – Other, of a milk fat content, by weight :
0403 10 91	– – – – Not exceeding 3 %
0403 10 93	– – – – Exceeding 3 % but not exceeding 6 %
0403 10 99	– – – – Exceeding 6 %
ex 0403 90	– Other :
	– – Flavoured or containing added fruit or cocoa :
	– – – In powder, granules or other solid forms, of a milkfat content, by weight :
0403 90 71	– – – – Not exceeding 1,5 %
0403 90 73	– – – – Exceeding 1,5 %, but not exceeding 27 %
0403 90 79	– – – – Exceeding 27 %
	– – – Other, of a milkfat content, by weight :
0403 90 91	– – – – Not exceeding 3 %
0403 90 93	– – – – Exceeding 3 % but not exceeding 6 %
0403 90 99	– – – – Exceeding 6 %
ex 0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen :
0710 40 00	– Sweet corn
0711	Vegetables 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 0711 90	– Other vegetables, mixtures of vegetables :
	– – Vegetables :
0711 90 30	– – – Sweet corn
ex 1302	Vegetable saps and extracts ; pectic substances, pectinates and pectates ; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products :
	– Mucilages and thickeners, whether or not modified, derived from vegetable products :
1302 31 00	– – Agar-agar
1302 32	– – Mucilages and thickeners, whether or not modified, derived from locust beans, locust bean seeds or guar deeds
1302 39 00	– – Other

CN code	Description
ex 1518 00	Animal or vegetable fats and oils and their fractions, boiled, oxidized, dehydrated, sulphurized, blown, polymerized by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading No 1516 ; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included :
1518 00 10	– Linoxyn
ex 1520	Glycerol (glycerine), whether or not pure ; glycerol waters and glycerol lyes :
1520 90 00	– Other, including synthetic glycerol
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form ; sugar syrups not containing added flavouring or colouring matter ; articicial honey, whether or not mixed with natural honey ; caramel :
ex 1702 30	– Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose :
	– – Other :
	– – – Containing in the dry state 99 % or more by weight of glucose :
1702 30 51	– – – – In the form of white crystalline powder, whether or not agglomerated
1702 30 59	– – – – Other
ex 1702 90	– Other, including invert sugar
1702 90 10	– – Chemically pure maltose
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 of subheading 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 headings 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 stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni ; couscous, whether or not prepared :
	– Uncooked pasta, not stuffed or otherwise prepared :
1902 11 00	– – Containing eggs
1902 19	– – Other
ex 1902 20	– Stuffed pasta whether or not cooked or otherwise prepared :
	– – Other :
1902 20 91	– – – Cooked
1902 20 99	– – – Other
1902 30	– Other pasta
ex 1902 40	– Couscous :
1902 40 90	– – Other
1903 00 00	Tapioca and substitutes thereof 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, precooked or otherwise prepared

CN code	Description
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	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:
ex 2001 90	– Other:
2001 90 30	– – Sweet corn (*Zea mays* var. *saccharata*)
2001 90 40	– – Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen:
ex 2004 10	– Potatoes
	– – Other:
2004 10 91	– – – In the form of flour, meal or flakes
ex 2004 90	– Other vegetables and mixtures of vegetables:
2004 90 10	– – Sweet corn (*Zea mays* var. *saccharata*)
ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen:
2005 20	– Potatoes:
2005 20 10	– – In the form of flour, meal or flakes
2005 80 00	– Sweet corn (*Zea mays* var. *saccharata*)
ex 2008	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:
	– Nuts, ground-nuts and other seeds, whether or not mixed together:
ex 2008 11	– – Ground-nuts
2008 11 10	– – – Peanut butter
2208 91 00	—— – Palm hearts
ex 2008 99	—— – Other:
	– – – Not containing spirit:
	– – – – Not containing added sugar:
2008 99 85	– – – – – Maize (corn) other than sweet corn (*Zea mays* var. *saccharata*)
2008 99 91	– – – – – Yams, sweet potatoes and similar edible parts of plants, containings 5 % or more by weight of starch
ex 2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates, thereof:
2101 10	– Extracts, essences and concentrates of coffee, and preparations with a basic of these extracts, essences or concentrates of with a basis of coffee
2101 20	– Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté
ex 2101 30	– Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:
	– – Roasted chicory and other roasted coffee substitutes:
2101 30 19	– – – Other (than roasted chicory)
	– – Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:
2101 30 99	– – – Other (than roasted chicory)

CN code	Description
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders :
ex 2102 10	– Active yeasts :
	– – Bakers' yeast :
2101 10 31	– – – Dried
2102 10 39	– – – Other
ex 2102 20	– Inactive yeasts ; other single-cell micro-organisms, dead :
	– – Inactive yeasts :
2102 20 11	– – – In tablet, cube or similar form, or in immediate packings of a net content not exceeding 1 kg
2102 20 19	– – – Other
ex 2103	Sauces and preparations therefor ; mixed condiments and mixed seasonings :
2103 10 00	– Soya sauce
2103 20 00	– Tomato ketchup and other tomato sauces
2103 90	– Other
ex 2104	Soups and broths and preparations therefor ; homogenized composite food preparations :
2104 10 00	– Soups and broths and preparations therefor
2105 00	Ice cream and other edible ice, whether or not containing cocoa
ex 2106	Food preparations not elsewhere specified or included :
2106 10	– Protein concentrates and textured protein substances :
ex 2106 90	– Other :
2106 90 10	– – Cheese fondues
	– – Flavoured or coloured sugar syrups :
2106 90 91	– – – Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milkfat, 2,5 % milk proteins, 5 % sucrose or isoglucose, 5 % glucose or starch
2106 90 99	– – – Other
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009
2203 00	Beer made from malt
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances
ex 2208	Undernatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol ; spirits, liqueurs and other spirituous beverages ; compound alcoholic preparations of a kind used for the manufacture of beverages :
2208 20	– Spirits obtained by distilling grape wine or grape marc
ex 2208 30	– Whiskies
	– – Other than Bourbon in containers holding :
2208 30 91	– – – 2 litres or less
2208 30 99	– – – More than 2 litres
2208 50	– Gin and Geneva
ex 2208 90	– Other :
	– – Vodka of an alcoholic strenght by volume of 45,4 % vol or less and plum, pear or cherry spirit (excluding liqueurs), in containers holding :
	– – – 2 litres or less :

CN code	Description
2208 90 31	– – – – Vodka
2208 90 33	– – – – Plum, pear or cherry spirit (excluding liqueurs)
2208 90 39	– – – More than 2 litres :
	– – Other spirituous beverages
2208 90 51	
2208 90 53	
2208 90 55	
2208 90 59	
2208 90 71	
2208 90 73	
2208 90 79	
ex 2520	Gypsum ; anhydrite ; plasters (consisting of calcined gypsum or calcium sulphate) whether or not coloured, with or without small quantities of accelerators or retarders :
2520 20	– Plasters
ex 2839	Silicates ; commercial alkali metal silicates :
2839 90	– Other
Chapter 29	Organic chemicals
Chapter 30	Pharmaceutical products
ex 3307	Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, depilatories and other perfumery, cosmetic or toilet preparations, not elsewhere specified or included ; prepared room deodorizers, whether or not perfumed or having disinfectant properties :
	– Preparations for perfuming or deodorizing rooms, including odorifirous preparations used during religious rites :
3307 49 00	– – Other than 'Agarbatti' and other odorifirous preparations which operate by burning
3307 90 00	— Other
ex 3401	Soap ; organic surface-active products and preparations for use as soap, in the form of bars, cakes, moulded pieces or shapes, whether of not containing soap ; paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent :
	– Soap and organic surface-active products and preparations, in the form of bars, cakes, moulded pieces or shapes, and paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent :
3401 19 00	– – Other
3402	Organic surface-active agents (other than soap) ; surface-active preparations, washing preparations (including auxiliary washing preparations) and cleaning preparations, whether or not containing soap, other than those of heading No 3401 :
ex 3403	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals :
	– Containing petroleum oils or oils obtained from bituminous minerals :
3403 11 00	– – Preparations for the treatment of textile materials, leather, furskins or other materials
3403 19	– – Other :
ex 3403 19 10	– – – Containing 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent

CN code	Description
ex 3405	Polishes and creams, for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations (whether or not in the form of paper, wadding, felt, nonwovens, cellular plastics or cellular rubber, impregnated, coated or covered with such preparations), excluding waxes of heading No 3404
3407 00 00	Modelling pastes, including those put up for children's amusment ; preparations known as 'dental wax' or as 'dental impression compounds', put up in sets, in packings for retail sale or in plates, horseshoe shapes, sticks or similar forms ; other preparations for use in dentistry, with a basis of plaster (of calcined gypsum or calcium sulphate)
Chapter 35	Albuminoidal substances ; modified starches ; glues, enzymes, excluding heading No 3501
Chapter 38	Miscellaneous chemical products
Chapter 39	Plastics and articles thereof
4813	Cigarette paper, whether or not cut to size or in the form of booklets or tubes :
ex 4813 90	– Other :
4813 90 90	– – Others
ex 4818	Toilet paper, handkerchiefs, cleansing tissues, towels, tablecloths, serviettes, napkins for babies, tampons, bed sheets and similar household, sanitary or hospital articles, articles of apparel and clothing accessories, of paper pulp, paper, cellulose wadding or webs of cellulose fibres :
4818 10	– Toilet paper
ex 4823	Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape ; other articles of paper pulp, paper, paperboard, cellulose wadding or webs of cellulose fibres :
	– Gummed or adhesive paper, in strips or rolls :
4823 11	– – Self-adhesive
4823 19 00	– – Other
4823 20 00	– Filter paper and paperboard
	– Other paper and paperboard, of a kind used for writing, printing or other graphic purposes :
4823 51	– – Printed, embossed or perforated
4823 59	– – Other
ex 4823 90	– Other :
	– – Other :
	– – – Other :
	– – – – Cut to size or shape :
4823 90 51	– – – – – Condenser paper
	– – – – – Other :
4823 90 71	– – – – – – Gummed or adhesive paper
4823 90 79	– – – – – – Other'