COMMISSION REGULATION (EEC) No 2723/90

of 24 September 1990

replacing the codes established on the basis of the Common Customs Tariff nomenclature in force on 31 December 1987 with those established on the basis of the Combined Nomenclature in certain Regulations concerning the classification of goods

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 statistica nomenclature and on the Common Customs Tariff (1), as last amended by Regulation (EEC) No 2472/90 (2), and in particular Article 15 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff (3), repealed by Regulation (EEC) No 2658/87, established the nomenclature of the Common Customs Tariff on the basis of the Convention of 15 December 1950 on nomenclature for the classification of goods in customs tariffs;

Whereas the Commission has adopted a number of Regulations concerning the classification of goods in the nomenclature of the Common Customs Tariff on the basis of Regulation (EEC) No 97/69 of the Council of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff (4), replealed by Regulation (EEC) No 2658/87;

Whereas Regulation (EEC) No 2658/87 established a goods nomenclature called the Combined Nomenclature, which simultaneously meets the requirements of the Common Customs Tariff and of the external trade statistics of the Community, and is based on the International Convention on the Harmonized Commodity Description and Coding System, replacing the Convention of 25 December 1950;

Whereas Article 15 (1) of Regulation (EEC) No 2658/87 lays down that the codes and descriptions of goods established on the basis of the Combined Nomenclature are to replace those established on the basis of the nomenclature of the Common Customs Tariff in force on 31 December 1987;

Whereas those Regulations which are still of practical significance and whose transposition will involve no changes of substance should be amended accordingly and so to complement an initial series of Regulations which has been adopted by Commission Regulation (EEC) No 646/89 (5),

HAS ADOPTED THIS REGULATION:

Article 1

In the Regulations listed in column 1 of the Annex, which refer to the goods described in column 2, the codes based on the nomenclature of the Common Customs Tariff in column 3 shall be replaced by the codes based on the Combined Nomenclature listed in column 4.

Article 2

This Regulation shall enter into force on the day of 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 September 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

(1) OJ No L 256, 7. 9. 1987, p. 1.
(2) OJ No L 247, 10. 9. 1990, p. 1.
(3) OJ No L 172, 22. 7. 1968, p. 1.
(4) OJ No L 14, 21. 1. 1969, p. 1.
(5) OJ No L 71, 15. 3. 1989, p. 20.

ANNEX

Regulation (EEC) No	Description of the goods	Number of the nomenclature of the Common Customs Tariff	Code of the Combined Nomenclature
(1)	(2)	(3)	(4)
1523/70 (1)	Partially or totally de-frozen meat of domestic bovine animals	02.01 A II a) 2	0202
936/79 (2)	Separated forequarters of bovine animals in a fresh or chilled state, from which the atlas bone has been removed	02.01 A II a) 4 aa)	0201 20 90
1669/77 (3)	Raw, frozen poultrymeat obtained by scraping poultry bones from which the prime cuts have been removed or in any other way (for example, in the reduction of larger cuts to smaller size) and consisting of small, irregularly shaped pieces, sometimes with fibrous, gristly and fatty tissue attached thereto and individually weighing from 5 to 40 grams approximately	02.02 B I	0207 41 10 0207 42 10 0207 43 11 0207 43 15
3555/81 (4)	Product consisting of pork legs, defatted, derinded, deboned, treated by injection of an aqueous solution of sodium cloride containing small quantities of other salts and of sugars, and then vacuum massaged	02.06 B I a) 7	0210 19 51
802/80 (5)	Products having the physical structure, the typical taste and the qualitative chemical composition of butter but containing only from 75 to 80 % of milkfats	04.03 A	0405 00 10
3516/84 (6)	Pitted prunes, ready to eat, having a moisture content not exceeding 35 %, to which sorbic acid has been added	08.12 C	0813 20 00
3556/81 (7)	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	11.02 D V	1104 23 90
847/71 (8)	Sugar beet tops, with their leaves removed, in the form of dried pieces with a sugar content generally exceeding 60 % by weight in the dry matter	12.04 A II	1212 91 90
2748/79 (9)	Product having the following composition : calcium carrageenate 62,1 %, dextrose 32,9 %, sucrose 8 %	13.03 C III	1302 39 00
3534/87 (10)	Deep-frozen skinless tuna pieces ('tuna loins') which have been pre-cooked by both steam and water, particularly so as to facilitate the removal of the skin, and resulting in the proteins being partially coagulated	16.04 E	1604 14 10
717/85 (11)	Cough and throat-irritation pastilles having the following composition (percentage by weight) : — sucrose, glucose and caramel : 99,500 — camphor : 0,007 — menthol : 0,207 — eucalyptol : 0,069 — balsam of Tolu : 0,003 — thymol : 0,069 — benzyl alcohol : 0,138	17.04 D I	1704 90 55
1978/82 (12)	Product consisting of cocoa powder with small quantities (approximately 5 % by weight) of added lecithin	18.05	1805 00 00
3131/81 (13)	Pancakes with cheese filling (approximately 48 % of the total weight), precooked and deep-frozen for consumption after rapid frying in oil	19.08 B	1905 90 90

Regulation (EEC) No	Description of the goods	Number of the nomenclature of the Common Customs Tariff	Code of the Combined Nomenclature
(1)	(2)	(3)	(4)
1709/74 (14)	Cherries put up in a mixture of water and ethyl alcohol suitable for immediate consumption	20.06 B I	2008 60 11 to 2008 60 39
1385/83 (15)	Product consisting of non-germinated barley grains, husked, roasted and usable in the production of beer as a colouring and flavouring agent, or as a coffee substitute	21.02 C II	2101 30 19
210/85 (16)	Following products for sale by retail :		
	(a) pills having the following composition (per pill) :		
	— vitamin A 2 000 IU — vitamin C 60 mg — vitamin D 200 IU — vitamin E 12 IU — vitamin B_1 1,1 mg — vitamin B_2 1,2 mg — vitamin B_6 2 mg — niacinamide 13 mg — calcium pentothenate 4,3 mg — vitamin B_{12} 3 µg — folic acid 50 µg — biotin 100 µg — iron 10 mg — zinc 7,5 mg — manganese 2 mg — copper 1 mg — molybdenum 150 µg — iodine 75 µg — selenium 50 µg — chromium 50 µg — sucrose (including invert sugar expressed as sucrose) 33 % — water (approximately) 7 %		
	(b) effervescent pills having the following composition (per pill) :		
	— vitamin B_1 1,1 mg — vitamin B_2 1,5 mg — vitamin B_6 1,4 mg — vitamin B_{12} 5 µg — vitamin C 75 mg — vitamin E 7 mg — niacinamide 11 mg — calcium pentothenate 10 mg — sucrose (including invert sugar expressed as sucrose) 48 % — effervescent salts, orange flavouring and saccharin	21.07 G I d) 1	2106 90 99
1464/87 (17)	Food preparation in the form of effervescent tablets (weight 7 g per tablet) put up for retail sale having the following composition (per tablet) :		
	— calcium carbonate : 0,327 g, — calcium galactogluconate : 1,0 g, — ascorbic acid : 1,0 g, — saccharin, sodium salt : 0,014 g, — starch : 0,020 g, — polyethylene glycol : 0,150 g, — sodium hydrogencarbonate (sodium bicarbonate) : 1,0 g, — citric acid : 1,465 g, — sucrose (28,7 %) and lemon flavour : 2,009 g	21.07 G I c) 1	2106 90 99

Regulation (EEC) No	Description of the goods	Number of the nomenclature of the Common Customs Tariff	Code of the Combined Nomenclature
(1)	(2)	(3)	(4)
1087/83 ([18])	Beverages produced by the fermentation of the wort of malt with the addition of hops, having an alcoholic strength not exceeding 0,5 % vol, sometimes called 'non-alcoholic beers'	22.02 A	2202 90 10
199/82 ([19])	Premix consisting of ronidazole (INN) (12 % by weight calculated on the dry product) on a base of maize gluten (containing less than 10 % of starch)	23.07 B I a)	2309 90 31
200/82 ([20])	Premix consisting of oxytetracycline hydrochloride (INNM) (20 % by weight calculated on the dry product) on a base of calcium carbonate	23.07 C	2309 90 99
3517/84 ([21])	Leave-stalks, stems, ribs and trimmings of tobacco leaves	24.01 B	2401 30 00
3311/86 ([22])	Cut and expanded tobacco (not put up for retail sale), at least 80 % by weight of which floats on the surface when placed in benzyl acetate (determined by the analytical procedure laid down in the Annex to this Regulation)	24.02 E	2403 99 90

([1]) OJ No L 167, 30. 7. 1970, p. 28.
([2]) OJ No L 117, 12. 5. 1979, p. 19.
([3]) OJ No L 186, 26. 7. 1977, p. 23.
([4]) OJ No L 356, 11. 12. 1981, p. 24.
([5]) OJ No L 87, 1. 4. 1980, p. 54.
([6]) OJ No L 328, 15. 12. 1984, p. 8.
([7]) OJ No L 356, 11. 12. 1981, p. 25.
([8]) OJ No L 92, 24. 4. 1971, p. 26.
([9]) OJ No L 311, 7. 12. 1979, p. 20.
([10]) OJ No L 336, 26. 11. 1987, p. 14.
([11]) OJ No L 78, 21. 3. 1985, p. 13.
([12]) OJ No L 214, 22. 7. 1982, p. 11.
([13]) OJ No L 312, 31. 10. 1981, p. 55.
([14]) OJ No L 180, 3. 7. 1974, p. 15.
([15]) OJ No L 141, 1. 6. 1983, p. 43.
([16]) OJ No L 24, 29. 1. 1985, p. 11.
([17]) OJ No L 138, 28. 5. 1987, p. 38.
([18]) OJ No L 118, 5. 5. 1983, p. 15.
([19]) OJ No L 21, 29. 1. 1982, p. 19.
([20]) OJ No L 21, 29. 1. 1982, p. 20.
([21]) OJ No L 328, 25. 12. 1984, p. 9.
([22]) OJ No L 305, 31. 10. 1986, p. 30.