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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1943/91

of 13 June 1991

amending Regulation (EEC) No 426/86 on the common organization of the market in products processed from fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas a tariff classification error relating to the products under CN code 0811 containing added sugar should be corrected in Regulation (EEC) No 426/86 (4), as last amended by Regulation (EEC) No 2201/90 (5); whereas, in order to take account of the trends in trade, the tariff descriptions of the products and, as a result, the aforementioned Regulation should be amended;

Whereas the completion of the single market makes it necessary to abolish any national quantitative restrictions or any measure having equivalent effect;

Whereas trends in trade make it necessary to revise the list of products for which an import licence must be submitted for their release for free circulation within the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 426/86 is hereby amended as follows:

1. In Article 1 (1), under the headings 'CN code' and 'Description of goods':

— under (a):

CN code 0811 and the corresponding description of goods shall be replaced by the following:

'ex 0811 Fruit, uncooked or cooked by steaming or boiling in water, frozen, not containing added sugar or other sweetening matter',

— under (b):

(i) the following shall be inserted before CN code 'ex 1302 20':

'ex 0811 Fruit, uncooked or cooked by steaming or boiling in water, frozen, containing added sugar or other sweetening matter';

(1) OJ No C 75, 20. 3. 1991, p. 29.
(2) OJ No C 129, 20. 5. 1991.
(3) OJ No C 120, 6. 5. 1991, p. 33.
(4) OJ No L 49, 27. 2. 1986, p. 1.
(5) OJ No L 201, 31. 7. 1990, p. 1.

(ii) CN code ex 2005 and the corresponding description of goods shall be replaced by the following:

'ex 2005 Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, excluding olives of subheading 2005 70 00, sweet corn (*Zea mays* var. *saccharata*) of subheading 2005 80 00 and fruit of the genus *Capsicum* other than sweet peppers or pimentos of subheading 2005 90 10 and potatoes, prepared or preserved in the form of flour, meal or flakes falling within CN code 2005 20 10';

2. Article 17 (3) shall be deleted;

3. In Annex I, Part A, CN code ex 2002 10 00 and the corresponding description of goods shall be replaced by the following:

'2002 10 10	Tomatoes, peeled, whole or in pieces;
2002 10 90	Peeled tomatoes, not peeled, whole or in pieces;
ex 2002 10 90	Crush or pizza sauce
ex 2002 90	Other (crush or pizza sauce)';

4. In Annex II:

(i) CN code 2008 99 31 and the corresponding description of goods shall be replaced by the following:

	'– – – – – Of an actual alcoholic strength by a mass not exceeding 11,85 % mas:
2008 99 25	– – – – – – – Passion fruit and guavas
2008 99 27	– – – – – – – Other';

(ii) CN code 2008 99 49 and the corresponding description of goods shall be replaced by the following:

	'– – – – – Other:
2008 99 46	– – – – – – Passion fruit, guavas and tamarinds
2008 99 48	– – – – – – Other';

(iii) CN code 2008 99 59 and the corresponding description of goods shall be replaced by the following:

	'– – – – – Other:
2008 99 61	– – – – – – Passion fruit and guavas
2008 99 69	– – – – – – Other';

5. In Annex III:

(i) CN code 2008 99 33 and the corresponding description of goods shall be replaced by the following:

	'– – – – – Other:
2008 99 32	– – – – – – Passion fruit and guavas
2008 99 34	– – – – – – Other';

(ii) CN code 2009 80 31 and the corresponding description of goods shall be replaced by the following:

	'– – – – Of a value not exceeding ECU 30 per 100 kg net weight:
2009 80 32	– – – – – Passion fruit and guavas
2009 80 34	– – – – – Other';

(iii) CN code 2009 80 91 and the corresponding description of goods shall be replaced by the following:

	'– – – – – With an added sugar content exceeding 30 % by weight:
2009 80 83	– – – – – – Passion fruit and guavas
2009 80 85	– – – – – – Other';

6. Annex IV shall be replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on the eighth 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 Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

ANNEX

'ANNEX IV

CN code	Description of goods
0710 21 00	Peas *(Pisum sativum)*, uncooked or cooked by steaming or bolling in water, frozen
0711 90 50	Mushrooms, provisionally preserved, but unsuitable in that state for immediate consumption
0806 20 12	Dried grapes 'sultanas'
0806 20 18	
0806 20 92	Dried grapes 'other'
0806 20 98	
0811 11 10	Strawberries, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter
ex 0811 20 11	Raspberries, uncooked or cooked by steaming or boiling in water, frozen, whether or
ex 0811 20 19	not containing added sugar or other sweetening matter
0811 20 31	
ex 0811 90 10	Cherries, uncooked or cooked by steaming or boiling in water, frozen, whether or not
ex 0811 90 30	containing added sugar or other sweetening matter
ex 0811 90 90	
0812 10 00	Cherries, provisionally preserved, but unsuitable in that state for immediate consumption
0812 20 00	Strawberries, provisionally preserved, but unsuitable in that state for immediate consumption
0812 90 60	Raspberries, provisionally preserved, but unsuitable in that state for immediate consumption
0813 20 00	Dried prunes
0813 30 00	Dried apples
2001 90 50	Mushrooms, prepared or preserved by vinegar or acetic acid
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid
2003 10	Mushrooms prepared or preserved otherwise than by vinegar or acetic acid
2004 90 50	Peas *(Pisum sativum)* and immature beans prepared or preserved otherwise than by vinegar or acetic acid, frozen
2005 40 00	*Peas (Pisum sativum)* and immature beans prepared or preserved otherwise than by
ex 2005 59 00	vinegar or acetic acid, not frozen
2005 60 00	Asparagus, prepared or preserved otherwise than by vinegar or acetic acid, not frozen
	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter
2007 99 33	Of strawberries
2007 99 35	Of raspberries
ex 2007 99 59	Of strawberries and raspberries
ex 2007 99 90	
2008 40 51	Pears otherwise prepared or preserved
2008 40 59	
2008 40 71	
2008 40 79	
2008 40 91	
2008 40 99	
2008 50 61	Apricots otherwise prepared or preserved
2008 50 69	
2008 50 71	
2008 50 79	
2008 50 91	
2008 50 99	

CN code	Description of goods
2008 60 51 2008 60 59 2008 60 61 2008 60 69 2008 60 71 2008 60 79 2008 60 91 2008 60 99	Cherries otherwise prepared or preserved
2008 70 61 2008 70 69 2008 70 71 2008 70 79	Peaches otherwise prepared or preserved
2008 80 50 2008 80 70 2008 80 91 2008 80 99	Strawberries otherwise prepared or preserved
ex 2008 99 48 ex 2008 99 69 ex 2008 99 99	Raspberries otherwise prepared or preserved
ex 2009 80 34 ex 2009 80 39 ex 2009 80 80 ex 2009 80 85 ex 2009 80 93 ex 2009 80 99	Cherry juice'