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►**B**

# COMMISSION REGULATION (EEC) No 509/92

## of 28 February 1992

## concerning the classification of certain goods in the combined nomenclature

(OJ L 55, 29.2.1992, p. 80)

Amended by:

| | | Official Journal | | |
|---|---|---|---|---|
| | | No | page | date |
| ►**M1** | Commission Regulation (EC) No 936/1999 of 27 April 1999 | L 117 | 9 | 5.5.1999 |
| ►**M2** | Commission Regulation (EC) No 705/2005 of 4 May 2005 | L 118 | 18 | 5.5.2005 |
| ►**M3** | Commission Implementing Regulation (EU) No 441/2013 of 7 May 2013 | L 130 | 1 | 15.5.2013 |

▼B

# COMMISSION REGULATION (EEC) No 509/92

## of 28 February 1992

## concerning the classification of certain goods in the combined nomenclature

*Article 1*

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

*Article 2*

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 6 of Regulation (EEC) No 3796/90 for a period of three months by the holder if a binding contract has been concluded as envisaged in Article 14 (3) (a) or (b) of Regulation (EEC) No 1715/90.

*Article 3*

This Regulation shall enter into force on the 21st 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.

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*ANNEX*

| Description of goods | Classification CN code | Reasons |
|---|---|---|
| (1) | (2) | (3) |
| 1. Product, consisting of a mixture of residues from the manufacture of starch from maize (approximately 40 %), residues from the extraction of oil from maize germs by the wet method (approximately 30 %) and of residues of the distillation of alcohol from maize ('corn distillers') (approximately 30 %), presenting the following analytical characteristics, weight on dry matter:<br>— starch 18 % determined in accordance with the method ►**M3** set out in Commission Regulation (EC) No 152/2009, Annex III, part L ◄<br>— proteins (N x 6,25) 28 % determined in accordance with the method ►**M3** set out in Commission Regulation (EC) No 152/2009, Annex III, part C ◄<br>— fats 4,4 % determined in accordance with ►**M3** the method set out in Commission Regulation (EC) No 152/2009, Annex III, part H ◄<br>It is used in animal feed. | 2309 90 41 | Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, by additional note 1 to chapter 23 and by the wording of CN codees 2309, 2309 90 en 2309 90 41. |
| 2. Preparation consisting mainly of a mixture of approximately 60 % calcium hydrogen-orthophosphate [dicalcium phosphate], by weight, and approximately 40 % calcium bis (dihydrogenorthophosphate) [monocalcium phosphate], by weight, used in animal feed. | ►**M3** 2309 90 96 ◄ | Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 2309, 2309 90 and ►**M3** 2309 90 96 ◄ (see also the Explanatory Notes to the HS, heading 23.09, part II. C). |