COMMISSION REGULATION (EC) No 1126/96

of 24 June 1996

adapting the codes and descriptions of goods in the sugar sector appearing in Annex I to Regulation (EEC) No 1785/81, the Annex to Regulation (EEC) No 1010/86 and the Annex to Regulation (EEC) No 1729/78 to accord with the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 234/79 of 5 February 1979 on the procedure for adjusting the Common Customs Tariff nomenclature used for agricultural products [1], as last amended by Regulation (EC) No 3290/94 [2], and in particular Article 2 (1) thereof,

Whereas Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff [3], as last amended by Commission Regulation (EC) No 586/96 [4], contains the combined nomenclature in force since 1 January 1996;

Whereas certain codes and descriptions appearing in Annex I to Council Regulation (EEC) No 1785/81 [5], the Annex to Council Regulation (EEC) No 1010/86 [6] and the Annex to Commission Regulation (EEC) No 1729/78 [7], no longer correspond to those of the combined nomenclature; whereas those Annexes should consequently be adapted;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex I to Regulation (EEC) No 1785/81 is replaced by Annex I hereto.

2. The Annex to Regulation (EEC) No 1010/86 is replaced by Annex II hereto.

3. The Annex to Regulation (EEC) No 1729/78 is replaced by Annex III hereto.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

It shall apply from 1 January 1996.

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

Done at Brussels, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ No L 34, 9. 2. 1979, p. 2.
[2] OJ No L 349, 31. 12. 1994, p. 105.
[3] OJ No L 256, 7. 9. 1987, p. 1.
[4] OJ No L 84, 3. 4. 1996, p. 18.
[5] OJ No L 177, 1. 7. 1981, p. 4.
[6] OJ No L 94, 9. 4. 1986, p. 9.
[7] OJ No L 201, 25. 7. 1978, p. 26.

ANNEX I

'ANNEX I

CN code	Description of goods
ex 0403	Buttermilk, curdled milk and cream flavoured or containing added fruit, nuts or cocoa, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter
0403 10 51 to 0403 10 99 0403 90 71 to 0403 90 99	
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:
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 seeds:
1302 32 10	– – – from locust beans or locust bean seeds
1302 32 90	– – – from guar seeds
1302 39 00	– – other
1702 50 00	– Chemically pure fructose:
1702 90 10	– – Chemically pure maltose
ex 1704	Sugar confectionery (including white chocolate), not containing cocoa, except liquorice extract from sub-heading 1704 90 10
1806	Chocolate and other food preparations containing cocoa
ex 1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:
1901 10 00	– Preparations for infant use, put up for retail sale
1901 20 00	– Mixes and doughs for the preparation of bakers' wares of heading No 1905
1901 90	– other:
	– – other:
1901 90 91	– – – Containing no milk fats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 5 % sucrose (including invert sugar) or isoglucose, 5 % glucose or starch, excluding food preparations in powder form of goods of heading Nos 0401 to 0404
1901 90 99	– – – other

CN code	Description of goods
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:
1902 20	– Stuffed pasta, whether or not cooked or otherwise prepared:
	– – other:
1902 20 91	– – – cooked
1902 20 99	– – – other
1902 30	– other pasta
1902 40	– Couscous:
1902 40 90	– – other
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 or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included
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:
1905 10 00	– Crispbread
1905 20	– Gingerbread and the like
1905 30	– Sweet biscuits; waffles and wafers
1905 40	– Rusks, toasted bread and similar toasted products
1905 90	– other:
	– – other:
1905 90 40	– – – Waffles and wafers with a water content exceeding 10 % by weight
1905 90 45	– – – Biscuits
1905 90 55	– – – Extruded or expanded products, savoury or salted
	– – – other:
1905 90 60	– – – – With added sweetening matter
1905 90 90	– – – – other
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:
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, other than products of heading No 2006:
2004 10	– Potatoes:
	– – other:
2004 10 91	– – – In the form of flour, meal or flakes
2004 90	– Other vegetables and mixtures of vegetables:
2004 90 10	– – Sweet corn *(Zea mays var. saccharata)*
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No 2006
2005 20	– Potatoes:
2005 20 10	– – In the form of flour, meal or flakes
2005 80 00	– Sweet corn *(Zea mays var. saccharata)*

CN code	Description of goods
2008	Fruit, 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
2008 11	– – Ground-nuts:
2008 11 10	– – – Peanut butter
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
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders:
2102 10	– Active yeasts:
	– – Bakers' yeast:
2102 10 31	– – – Dried
2102 10 39	– – – other
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; mustard flour and meal and prepared mustard:
2103 10 00	– Soya sauce
2103 20 00	– Tomato ketchup and other tomato sauces
2103 90	– other
2105 00	Ice cream and other edible ice, whether or not containing cocoa
ex 2106	Food preparations not elsewhere specified or included, except for compound alcoholic preparations of sub-heading 2106 90 20 and flavoured or coloured sugar syrups of sub-headings 2106 90 30 to 2106 90 59
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 of vegetable juices of heading No 2009
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages:
2208 20	– Spirits obtained by distilling grape wine or grape marc
2208 50 91 and 2208 50 99	– – Geneva
2208 70	– Liqueurs and cordials
2208 90 41 to 2208 90 78	– – Other spirits, and other spirituous beverages

CN code	Description of goods
ex 2520	Gypsum; anhydrite; plasters 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 00	– other
Chapter 29	Organic chemicals
Chapter 30	Pharmaceutical products
3203 00 90	– Colouring matter of vegetable or animal origin and preparations based on this matter
ex 3204	Synthetic organic colouring matter and preparations as specified in note 3 to this Chapter based on this colouring matter
3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:
3302 10	– Of a kind used in the food or drink industries:
3302 10 21	– – – – – Containing no milkfats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milkfat, 5 % sucrose or isoglucose, 5 % glucose or starch
3302 10 29	– – – – – other
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 odoriferous preparations used during religious rites:
3307 49 00	– – other
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 or not containing soap; 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
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 19	– – other
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 of goods
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, non-wovens, 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 amusement; 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
ex Chapter 35	Albuminoidal substances; modified starches; glues; enzymes, except those of headings 3501 and 3505
ex Chapter 38	Miscellaneous chemical products except those of heading 3809
ex Chapter 39	Plastics and articles thereof:
3901 to 3914	– primary forms
ex 6809	Articles of plaster or of compositions based on plaster (boards, sheets, panels, tiles and similar articles)'

ANNEX II

'ANNEX

CN code	Description of goods
1302 31 00	– – Agar-agar
1302 32	– – Mucilages and thickeners, whether or not modified, derived from locust beans, locust bean seeds or guar seeds:
1302 32 10	– – – Of locust beans or locust bean seeds
1302 32 90	– – – Of guar seeds
1302 39 00	– – other
1702 90 10	– – Chemically pure maltose
ex 2520	Gypsum; anhydrite; plasters 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 00	– other
Chapter 29	Organic chemicals, except those of sub-headings 2905 43 00 and 2905 44
Chapter 30	Pharmaceutical products
3203 00 90	Colouring matter of vegetable or animal origin and preparations based on this matter
ex 3204	Synthetic organic colouring matter, and preparations as specified in note 3 to this Chapter based on this colouring matter
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 odoriferous preparations used during religious rites:
3307 49 00	– – other
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 or not containing soap; 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
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 19	– – other:
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 of goods
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, non-wovens, 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 amusement; 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
ex Chapter 35	Albuminoidal substances; modified starches; glues; enzymes, except those products of heading 3501 and subheadings 3505 10 10, 3505 10 90 and 3505 20
ex Chapter 38	Miscellaneous chemical products except those of subheadings 3809 10, 3809 91 00, 3809 92 00, 3809 93 00 and ex 3824 60
ex Chapter 39	Plastics and articles thereof:
3901 to 3914	– primary forms
ex 6809	Articles of plaster or of compositions based on plaster (boards, sheets, panels, tiles and similar articles)'

ANNEX III

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CN code	Description	Coefficient
1	2	3
ex 1702 90 71	Caramel containing 50 % or more by weight of sucrose in the dry matter	1,00 (1)
ex 1702 90 99	Invert sugar	1,00 (1)
2905	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives:	
	– other polyhydric alcohols:	
2905 43 00	– – Mannitol	1,06
2905 44	– – D-Glucitol (sorbitol):	
	– – – In aqueous solution:	
2905 44 11	– – – – Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0,74 (2)
2905 44 19	– – – – other	0,74 (2)
	– – – other:	
2905 44 91	– – – – Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	1,06
2905 44 99	– – – – other	1,06
3824 60	– Sorbitol other than that of No 2905 44:	
	– – In aqueous solution:	
3824 60 11	– – – Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0,74 (2)
3824 60 19	– – – other:	0,74 (2)
	– – other:	
3824 60 91	– – – Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	1,06
3824 60 99	– – – other	1,06

(1) The production refunds determined according to this coefficient shall be understood to be calculated for an invert sugar or for a caramel having respectively a dry matter content by weight of 100 %.

For invert sugars or caramels respectively with a different dry matter content, the refunds shall be calculated per 100 kilograms of intermediate product by applying the following formula:

(a) × 1,00 × (b)

(2) The production refunds determined according to this coefficient shall be understood to be calculated for an aqueous solution of D-glucitol (sorbitol) with a dry matter content by weight of 70 %. For aqueous solutions of D-glucitol (sorbitol) with a different dry matter content, the refunds shall be calculated per 100 kilograms if intermediate product by applying the following formula:

(a) × 0,74 (b)/0,70

Where:

(a) = white sugar production refund in question,

(b) = dry matter content of the product, in % by weight.'