COMMISSION REGULATION (EC) No 727/97

of 24 April 1997

establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 737/90 of 22 March 1990 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station [1], as amended by Regulation (EC) No 686/95 [2], and in particular Article 6 thereof,

Whereas, in accordance with Regulation (EEC) No 737/90, the Commission shall adopt a list of products excluded from its application;

Whereas most agricultural products currently imported from third countries are free of radioactive contamination from the Chernobyl accident or so slightly contaminated as to present a negligible risk to health;

Whereas the list of products excluded from the application of Regulation (EEC) No 737/90, established by Commission Regulation (EC) No 3034/94 [3], has to be extended to take this into account;

Whereas the measures provided in this Regulation are in accordance with the opinion of the *ad hoc* Committee instituted by Regulation (EEC) No 737/90,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3034/94 is hereby repealed.

Article 2

All products other than those listed in the Annex are excluded from the scope of Regulation (EEC) No 737/90.

Article 3

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 April 1997.

For the Commission

Ritt BJERREGAARD

Member of the Commission

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[1] OJ No L 82, 29. 3. 1990, p. 1.
[2] OJ No L 71, 31. 3. 1995, p. 15.
[3] OJ No L 321, 14. 12. 1994, p. 25.

ANNEX

List of products to which Regulation (EEC) No 737/90 is applicable

CN code	Description
0101 19 10	(Live horses, asses, mules and hinnies): (horses): for slaughter
0102 90	(Live bovine animals): (other): domestic species
0103 91	(Live swine): (other): weighing less than 50 kg
0103 92	(Live swine): (other): weighing 50 kg or more
0104 10	(Live sheep and goats): (sheep) (except pure-bred breeding animals, CN code 0104 10 10)
0104 20 90	(Live sheep and goats): (goats): other
0105	Live poultry, that is to say, fowls of the species *Gallus domesticus,* ducks, geese, turkeys and guinea fowls
0106 00	Other live animals
Chapter 2	Meat and edible meat offal
Chapter 4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included (except products of CN codes 0408 11 20, 0408 19 20, 0408 91 20 and 0408 99 20)
0709 51	(Other vegetables, fresh or chilled): mushrooms (except of the genus *Agaricus*, CN code 0709 51 10)
0710 80 69	[Vegetables (uncooked or cooked by steaming or boiling in water), frozen]: (other vegetables): (mushrooms): other
0711 90 60	[Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions) but unsuitable in that stage for immediate consumption]: (other vegetables; mixtures of vegetables): (mushrooms): other
0712 30 00	(Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared): mushrooms and truffles
0810 40	(Other fruit, fresh): cranberries, bilberries and other fruits of the genus *Vaccinium*
0811 90 50	(Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter): (other): fruit of the species *Vaccinium myrtillus*
0811 90 70	(Fruit and nuts, uncooked or cooked by steaming or boiling, in water, frozen, whether or not containing added sugar or other sweetening matter): (other): fruit of the species *Vaccinium myrtilloides* and *Vaccinium angustifolium*
0812 90 40	[Fruit and nuts, 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]: (other): fruit of the species *Vaccinium myrtillus*
0902	Tea, whether or not flavoured
0910 40	(Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices): thyme; bay leaves
1601 00	Sausages and similar products, of meat, offal or blood; food preparations based on these products

CN code	Description
1602	Other prepared or preserved meat, meat offal or blood
1603 00	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates
2001 90 50	(Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid): (other): mushrooms
2003 10 80	(Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid): other: (mushrooms)
2101 20	(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): 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