

REGULATION (EEC) No 2727/71 OF THE COUNCIL

of 20 December 1971

amending, as regards tariff nomenclature, Regulation No 23 on the progressive establishment of a common organisation of the market in fruit and vegetables and Regulations Nos 136/66/EEC, 120/67/EEC, 121/67/EEC, 123/67/EEC, 1009/67/EEC, (EEC) No 805/68, (EEC) No 2142/70 and (EEC) No 827/68, on the common organisation of the markets respectively in oils and fats, cereals, pigmeat, poultrymeat, sugar, beef and veal, fishery products and certain products listed in Annex II to the Treaty

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;

Having regard to the Opinion of the European Parliament;

Whereas the Member States are contracting parties to the Brussels Convention of 15 December 1950 on Nomenclature for the Classification of Goods in Customs Tariffs; whereas the Common Customs Tariff was drawn up according to that nomenclature;

Whereas the Customs Cooperation Council may recommend to the contracting parties amendments to the Convention and thus to the nomenclature which forms part thereof;

Whereas on 9 June 1970 the Customs Cooperation Council recommended amendments to the nomenclature; whereas the recommendation was partially accepted by a Council Decision of 21 June 1971¹; whereas the nomenclature of the Common Customs Tariff should be adapted accordingly in order to take account, in particular, of technical developments and of charges arising therefrom in international trade;

Whereas certain subheadings of the Common Customs Tariff relating to agriculture are no longer of economic relevance; whereas in order to simplify the Common Customs Tariff these subheadings should be deleted;

Whereas Annex B to Council Regulation No 120/67/EEC² of 13 June 1967 on the common organisation of the market in cereals, as last amended by Regulation (EEC) No 1150/71,³ and the Annex to Council Regulation No 1009/67/EEC⁴ of 18 December 1967 on the common organisation of the market in sugar, as last amended by Regulation (EEC) No 1060/71,⁵ include a list of products not covered by Annex II to the Treaty in respect of which the nomenclature of the Common Customs Tariff has been amended; whereas these lists should be brought up to date;

HAS ADOPTED THIS REGULATION:

Article 1

In Article 7 of Regulation No 23,⁶ as last amended by Regulation (EEC) No 2423/70,⁷ the following phrase shall be added: 'excluding sub-heading No 08.05 F'.

Article 2

The list of goods in Article 1 of Council Regulation No 136/66/EEC⁸ of 22 September 1966 on the common organisation of the market in oils and fats, as last amended by Regulation (EEC) No 2554/70,⁹ shall be amended as follows:

² OJ No 117, 19.6.1967, p. 2269/67.

³ OJ No L 164, 22.7.1971, p. 1.

⁴ OJ No 308, 18.12.1967, p. 1.

⁵ OJ No L 115, 27.5.1971, p. 16.

⁶ OJ No 30, 20.4.1962, p. 965/62.

⁷ OJ No L 261, 2.12.1970, p. 1.

⁸ OJ No 172, 30.9.1966, p. 3025/66.

⁹ OJ No L 275, 19.12.1970, p. 5.

¹ OJ No L 137, 23.6.1971, p. 10.

1. under (b):
 - for 'ex 15.07' read '15.07 B, C D';
 - for 'ex 15.17' read '15.17 B';
 - for 'ex 23.04' read '23.04 B';
2. under (c):
 - for 'ex 15.07' read '15.07 A';
3. under (d):
 - for 'ex 07.01 N' read '07.01 N';
 - for 'ex 07.02' read '07.02 A';
 - for 'ex 07.03 A' read '07.03 A';
4. under (e):
 - for 'ex 15.17' read '15.17 A';
 - for 'ex 23.04' read '23.04 A'.

Article 3

1. Annex A to Regulation No 120/67/EEC shall be amended as follows:

- (a) for '07.06 B' read '07.06 A';
- (b) the following description shall be substituted for the description of goods falling within heading No 11.09 of the Common Customs Tariff:

'Wheat gluten, whether or not dried';
- (c) the following subheading shall be inserted after subheading No 23.02 A:

'23.03 A I Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, referred to dry matter, exceeding 40% by weight.'

2. Annex B to Regulation No 120/67/EEC shall be amended as follows: the following description shall be substituted for the description of goods falling within headings Nos 29.14 and 29.16 of the Common Customs Tariff:

- '29.14 Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:
- ex A Saturated acyclic monocarboxylic acids:
 - Sorbitol esters
 - ex B Unsaturated acyclic monocarboxylic acids:
 - Sorbitol esters

29.16 Carboxylic acids with alcohol, pheno aldehyde or ketone function and other single or complex oxygen function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:

A. Carboxylic acids with alcohol function:

V. Gluconic acid and its salts and esters

ex VIII. Other:

— Glyceric acid, glycollic acid, saccharonic acid, isosaccharonic acid, heptasaccharic acid and their salts and esters.'

Article 4

The list of goods in Article 1 (1) of Council Regulation No 121/67/EEC¹ of 13 June 1967 on the common organisation of the market in pigmeat, as last amended by Regulation (EEC) No 1261/71² shall be amended as follows:

1. for 'ex 02.01 B II' read '02.01 B II (c)';
2. for 'ex 02.05' read '02.05 A and B';
3. The following description shall be substituted for the description of goods falling within sub-headings Nos '02.05 A and B':

'Pig fat free of lean meat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked';
4. The following description shall be substituted for the description of goods falling within sub-heading No 15.01 A:

'Lard and other pig fat, rendered or solvent-extracted'.

Article 5

The list of goods in Article 1 (1) of Council Regulation No 123/67/EEC³ of 13 June 1967 on the common organisation of the market in poultrymeat, as last amended by Regulation (EEC) No 1261/71, shall be amended as follows:

1. for 'ex 02.05' read '02.05 C';
2. for 'ex 16.02 B I' read '16.02 B I';

¹ OJ No 117, 19.6.1967, p. 2283/67.

² OJ No L 132, 18.6.1971, p. 1.

³ OJ No 117, 19.6.1967, p. 2301/67.

3. The following description shall be substituted for the description of goods falling within sub-heading No 02.05 C:

'Poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked';

4. The following description shall be substituted for the description of goods falling within sub-heading No 15.01 B:

'Poultry fat, rendered or solvent-extracted'.

Article 6

1. The Common Customs Tariff heading numbers listed in Article 1 (1) of Regulation No 1009/67/EEC shall be amended as follows:

under (d) — for 'ex 17.02' read '17.02 C to F',

— for 'ex 17.05' read '17.05 C';

under (e) — for 'ex 23.03' read 'ex 23.03 B'.

2. The Annex to this Regulation shall be substituted for the Annex to Regulation No 1009/67/EEC.

Article 7

1. The following description shall be substituted for the description of goods listed in Article 1 (d) of Council Regulation (EEC) No 805/68¹ of 27 June 1968 on the common organisation of the market in beef and veal, as last amended by Regulation (EEC) No 1261/71:

'15.02 B I Unrendered fats of bovine cattle; rendered or solvent-extracted fats (including "premier jus") obtained from those fats'.

2. The following shall be substituted for Section (b) of the Annex to Regulation (EEC) No 805/68:

'Section (b)

02.06 C I (a). Meat of domestic bovine animals, salted, in brine, dried or smoked:

1. Unboned (bone-in)

2. Boned or boneless.'

Article 8

1. The list of goods in Article 1 (2) of Council Regulation (EEC) No 2142/70² of 20 October 1970

on the common organisation of the market in fishery products shall be amended as follows:

- (a) under (b):

the following description shall be substituted for the description of goods falling within heading No 03.02:

'Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process';

- (b) under (d): for 'ex 05.15' read '05.15';

- (c) under (g): for 'ex 23.01' read '23.01'.

2. Annex V to Regulation (EEC) No 2142/70 shall be amended as follows:

- (a) sub-heading No '03.01 A II Eels' shall be substituted for subheadings Nos 03.01 A II (a) and (b);

- (b) the following description shall be substituted for the description of goods falling within heading No 03.02:

'03.02 Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process:

A. Dried, salted or in brine:

I. Whole, headless or in pieces:

(a) Herrings

(b) Cod

(c) Anchovies (*Engraulis* sp.p.)

(d) Common halibut (*Hippoglossus vulgaris*)

(e) Salmon, salted or in brine

(f) Other

II. Fillets:

(a) Of cod

(b) Of salmon, salted or in brine

(c) Of lesser or Greenland halibut (*Hippoglossus reinhardtius*), salted or in brine

(d) Other

B. Smoked, whether or not cooked before or during the smoking process:

I. Herring

II. Salmon

III. Lesser or Greenland halibut (*Hippoglossus reinhardtius*)

¹ OJ No 148, 28.6.1968, p. 24.

² OJ No L 236, 27.10.1970, p. 1.

IV. Common halibut (*Hippoglossus vulgaris*)

V. Other

C. Livers and roes

D. Fish meal.¹

Article 9

The list of goods in the Annex to Council Regulation (EEC) No 827/68¹ of 28 June 1968 on the common organisation of the market in certain products listed in Annex II to the Treaty shall be amended as follows:

CCT heading No	Description of goods
02.01	(Unchanged)
A	(Unchanged)
B	Offals:
I	For the manufacture of pharmaceutical products ^a
II	Other:
(a)	Of horses, asses, mules and hinnies
ex (d)	Other, excluding offals of sheep
02.04	(Unchanged)
02.06	(Unchanged)
04.05	(Unchanged)
A	(Unchanged)
II	Other eggs (than poultry eggs)
B	(Unchanged)
II	Other eggs (than eggs suitable for human consumption)
04.07	Edible products of animal origin, not elsewhere specified or included
05.04	(Unchanged)
05.15 B	(Unchanged)
ex 07.05	(Unchanged)
07.06 B	(Description unchanged)
ex 08.01	(Unchanged in English)

CCT heading No	Description of goods
08.05 F	Areca (or betel) and cola
ex Chapter 9	(Unchanged)
from 11.03 to ex 12.10	(Unchanged)
ex 15.02	Fats of goats, unrendered; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats
15.03	(Unchanged)
16.02	(Unchanged)
16.03	Meat extracts, meat juices and fish extracts
18.01 and 18.02	(Unchanged)
22.07 B	Cider, perry, mead and other fermented beverages, excluding piquette
23.01 A	(Unchanged)
23.02 B	(Unchanged)
ex 23.03	Brewing and distilling dregs and waste; residues of starch manufacture and similar residues, excluding residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, referred to the dry matter, exceeding 40% by weight
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included:
A II	Acorns, horse chestnuts and pomace or marc of fruit, excluding grape marc
B	Other
23.07	Sweetened forage; other preparations of a kind used in animal feeding:
A	Fish or marine mammal solubles
C	Other

^a Inclusion in this sub-heading is subject to conditions to be laid down by the competent authorities.

Article 10

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

It shall apply from 1 January 1972.

¹ OJ No L 151, 30.6.1968, p. 16.

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

Done at Brussels, 20 December 1971.-

For the Council

The President

M. PEDINI

ANNEX

CCT heading No	Description of goods
17.04	Sugar confectionery, not containing cocoa: B. Chewing gum C. White chocolate D. Other
ex 18.06	Chocolate and other food preparations containing cocoa
ex 19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa
ex 19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa, in any proportion
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeasts: II. Bakers' yeast
ex 21.07	Food preparations not elsewhere specified or included
ex 22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07
ex 22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages: C. Spirituous beverages: ex V. Other
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives: C. Polyhydric alcohols: II. Mannitol III. Sorbitol

CCT heading No	Description of goods
29.10	<p>Acetals and hemiacetals and single or complex oxygen-function acetals and hemiacetals, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>ex B. Other:</p> <p>— Methyl glucosides</p>
29.14	<p>Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>ex A. Saturated acyclic monocarboxylic acids:</p> <p>— Mannitol esters and sorbitol esters</p> <p>ex B. Unsaturated acyclic monocarboxylic acids:</p> <p>— Mannitol esters and sorbitol esters</p>
29.15	<p>Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>A. Acyclic polycarboxylic acids:</p> <p>ex V. Other</p> <p>— Itaconic acid and its salts and esters</p>
29.16	<p>Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>A. Carboxylic acids with alcohol function:</p> <p>I. Lactic acid and its salts and esters</p> <p>IV. Citric acid and its salts and esters</p> <p>ex VIII. Other:</p> <p>— Glyceric acid, glycollic acid, saccharonic acid, isosaccharonic acid, heptasaccharic acid and their salts and esters</p>
29.35	<p>Heterocyclic compounds; nucleic acids:</p> <p>ex Q. Other:</p> <p>— Anhydric compounds of mannitol or sorbitol, excluding maltol and isomaltol</p>
29.43	<p>Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of headings Nos 29.39, 29.41 and 29.42:</p> <p>ex B. Other:</p> <p>— Sorbose and its salts and esters</p>
29.44	<p>Antibiotics:</p> <p>A. Penicillins</p>
38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:</p> <p>Q. Foundry core binders based on synthetic resins</p> <p>ex T. Other:</p> <p>— Sorbitol cracking products</p>