
Status: Point in time view as at 18/04/1991.

Changes to legislation: Commission Regulation (EEC) No 964/91 is up to date with all changes known to be in force on or before 13 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Commission Regulation (EEC) No 964/91 of 18 April 1991 concerning
the classification of certain goods in the combined nomenclature

COMMISSION REGULATION (EEC) No 964/91

of 18 April 1991

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 315/91⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

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

HAS ADOPTED THIS REGULATION:

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

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

It shall apply to product No 1 of the Annex from 30 April to 31 December 1991 and to product No 2 of the Annex from 1 August 1991.

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

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Done at Brussels, 18 April 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

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ANNEX

| Description of the goods (1) | Classification CN code (2) | Reasons (3) | | | | | | | | |
|--|---|--|-----------------|---------------------------|-----------|-----|-------|-----|------------|--|
| <p>1. Product, in the form of powder with the following principal analytical results (percentage by weight):</p> <table border="1" data-bbox="248 734 600 1077"> <tr> <td data-bbox="248 734 424 835">— milk fat</td> <td data-bbox="424 734 600 835">5,8</td> </tr> <tr> <td data-bbox="248 835 424 936">— whey proteins</td> <td data-bbox="424 835 600 936">74,3 (78,9 by dry weight)</td> </tr> <tr> <td data-bbox="248 936 424 1010">— lactose</td> <td data-bbox="424 936 600 1010">6,0</td> </tr> <tr> <td data-bbox="248 1010 424 1077">— ash</td> <td data-bbox="424 1010 600 1077">2,9</td> </tr> </table> | — milk fat | 5,8 | — whey proteins | 74,3 (78,9 by dry weight) | — lactose | 6,0 | — ash | 2,9 | 0404 90 33 | <p>Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 0404, 0404 90 and 0404 90 33. Because of its protein lactose and milk fat content, which differs considerably from that of whey powder, the product is excluded from code CN 0404 10.</p> |
| — milk fat | 5,8 | | | | | | | | | |
| — whey proteins | 74,3 (78,9 by dry weight) | | | | | | | | | |
| — lactose | 6,0 | | | | | | | | | |
| — ash | 2,9 | | | | | | | | | |
| <p>2. Mushrooms of the species <i>Agaricus</i> completely simmered. The mushrooms are immersed in water, to which salt and/or citric acid and/or SO₂ may have been added, and have been chilled.</p> <p>These mushrooms, which are not put up in packs for retail sale, are used, generally, as a starting material in the preservation industry.</p> | 2003 10 10 | <p>Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, as well as by Additional Note 1 to Chapter 20 and by the texts of CN codes 2003, 2003 10 and 2003 10 10.</p> | | | | | | | | |

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- (1) OJ No L 256, 7. 9. 1987, p. 1.
- (2) OJ No L 37, 9. 2. 1991, p. 24.

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