

COMMISSION REGULATION (EEC) No 3987/87

of 22 December 1987

amending various Regulations securing the joint implementation of the common organization of the markets in the eggs and poultrymeat sectors as a consequence of the introduction of 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 on the tariff and statistical nomenclature and the Common Customs Tariff⁽¹⁾ amended by Regulation (EEC) No 3985/87⁽²⁾, and in particular the second subparagraph of Article 15 (1), thereof,

Having regard to Council Regulation (EEC) No 3907/87 of 22 December 1987 amending Regulation (EEC) No 2777/75 on the common organization of the markets in the poultrymeat sector⁽³⁾, and in particular Article 2 thereof,

Whereas, in accordance with the second subparagraph of Article 5 (1) of Regulation (EEC) No 2658/87, technical adaptations of Community acts referring to the combined nomenclature are carried out by the Commission; whereas amendments of substance relating to the poultrymeat sector are carried out in accordance with the procedure laid down in Article 27 of Council Regulation (EEC) No 2777/75⁽⁴⁾ pursuant to Article 2 of Regulation (EEC) No 3907/87;

Whereas the basic Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽⁵⁾ was amended by Commission Regulation (EEC) No 4000/87⁽⁶⁾ adapting in accordance with the combined nomenclature the descriptions of goods and the tariff headings appearing therein;

Whereas numerous joint implementing Regulations in the poultrymeat and eggs sectors must be adapted technically and as regards certain points of substance in respect of the poultrymeat sector to take account of the use of the new combined nomenclature based on the Harmonized Commodity Description and Coding System which is intended to replace the Convention of 15 December 1950 on Nomenclature of the Classification of Goods in Customs Tariffs;

Whereas, on account of the number and the content of the texts calling for such adaptations, all the Regulations to be adapted should be grouped within a single amending Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Commission Regulation (EEC) No 2164/72 of 3 October 1972 on the non-fixing of additional amounts for imports of eggs and slaughtered chickens and geese from Bulgaria⁽⁷⁾ is hereby replaced by the following:

'Article 1

The levies fixed in accordance with Article 3 of Regulations (EEC) No 2771/75 and (EEC) No 2777/75 shall not be increased by an additional amount in respect of imports of the following products originating in and coming from Bulgaria:

(1) OJ No L 256, 7. 9. 1987, p. 1.

(2) See page 1 of this Official Journal.

(3) OJ No L 370, 30. 12. 1987, p. 14.

(4) OJ No L 282, 1. 11. 1975, p. 77.

(5) OJ No L 282, 1. 11. 1975, p. 49.

(6) OJ No L 377, 31. 12. 1987, p. 42.

(7) OJ No L 232, 12. 10. 1972, p. 3.

CN-code	Description
0207	Meat and edible offal, of the poultry heading No 0105, fresh, chilled or frozen:
0207 10	– Poultry not cut in pieces, fresh or chilled:
	– – Fowls of the species <i>Gallus domesticus</i> :
0207 10 11	– – – Plucked and gutted, with heads and feet, known as “83 % chickens”
0207 10 15	– – – Plucked or drawn, without heads and feet but with necks, hearts, livers and gizzards, known as “70 % chickens”
0207 10 19	– – – Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “65 % chickens”, or otherwise presented
	– – Geese:
0207 10 71	– – – Plucked, bled not drawn, with heads and feet, known as “82 % geese”
0207 10 79	– – – Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as “75 % geese”, or otherwise presented
	– Poultry not cut in pieces, frozen:
	– – Fowls of the species <i>Gallus domesticus</i> :
0207 21 10	– – – Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as “70 % chickens”
0207 21 90	– – – Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “65 % chickens” or otherwise presented
0207 23	– – Ducks, geese and guinea fowls:
	– – – Geese
0207 23 51	– – – – Plucked, bled, not drawn, with heads and feet, known as “82 % geese”
0207 23 59	– – – – Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as “75 % geese”, or otherwise presented
0407 00	Birds eggs, in shell, fresh, preserved or cooked:
	– Of poultry:
0407 00 30	– – Other (than hatching eggs)

Article 2

The Annex to Commission Regulation (EEC) No 572/73 of 26 February 1973 establishing egg and poultrymeat products eligible for the advance fixing of export refunds ⁽¹⁾, as last amended by Regulation (EEC) No 1916/86 ⁽²⁾, is hereby replaced by Annex I to this Regulation.

Article 3

Article 1 (1) and the first part of paragraph 2 of Council Regulation (EEC) No 2782/75 of 29 October 1975 on the production and marketing of eggs for hatching and of

farmyard poultry chicks ⁽³⁾, as last amended by Regulation (EEC) No 3494/86 ⁽⁴⁾, are hereby replaced by the following:

1. “Eggs for hatching” means poultry eggs falling within subheadings 0407 00 11 and 0407 00 19 of the combined nomenclature intended for the production of chicks, classified according to species, category and type and identified in accordance with this Regulation.

2. “Chicks” means live poultry the weight of which does not exceed 185 grams falling within subheadings 0105 11 and 0105 19 of the combined nomenclature of the following categories:

⁽¹⁾ OJ No L 56, 1. 3. 1973, p. 6.

⁽²⁾ OJ No L 165, 21. 6. 1986, p. 19.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 100.

⁽⁴⁾ OJ No L 332, 18. 11. 1986, p. 1.

Article 4

The first part of Article 1 of Commission Regulation (EEC) No 109/80 of 18 January 1980 on the application of the lowest rate of export refund for certain products in the eggs and poultrymeat sectors ⁽¹⁾, as amended by Regulation (EEC) No 1475/80 ⁽²⁾, is hereby replaced by the following:

'The fact that no refund is fixed for products falling within subheadings 0105 11 and 0105 19 and headings Nos 0207 (except for 0207 31, 0207 39 90 and 0207 50) 0407 and 0408 of the combined nomenclature which are exported to the United States shall not be taken into consideration.'

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

Done at Brussels, 22 December 1987.

Article 5

The Annex to Commission Regulation (EEC) No 3652/81 of 18 December 1981 laying down detailed rules for implementing the system of advance fixing certificates for refunds in the poultrymeat and eggs sector ⁽³⁾, as last amended by Regulation (EEC) No 1917/86 ⁽⁴⁾ is hereby replaced by Annex II to this Regulation.

Article 6

This Regulation shall enter into force on 1 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 14, 19. 1. 1980, p. 30.

⁽²⁾ OJ No L 147, 13. 6. 1980, p. 15.

⁽³⁾ OJ No L 364, 19. 12. 1981, p. 19.

⁽⁴⁾ OJ No L 165, 21. 6. 1986, p. 19.

ANNEX I

'ANNEX

CN code	Description
0105	Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowls
	– Weighing not more than 185 g:
0105 11 00	– – Fowls of the species <i>Gallus domesticus</i>
0105 19	– – Other
	– Other:
0105 91 00	– – Fowls of the species <i>Gallus domesticus</i>
0105 99	– – Other
0207	Meat and edible offal, of the poultry heading No 0105, fresh, chilled or frozen
0207 10	– Poultry not cut in pieces, fresh or chilled
	– Poultry not cut in pieces, frozen:
0207 21	– – Fowls of the species <i>Gallus domesticus</i>
0207 22	– – Turkeys
0207 23	– – Ducks, geese and guinea fowls
ex 0207 39	– – Other, not including poultry liver other than fatty livers of geese or ducks (falling within heading No 0207 39 90)
	– Poultry cuts and offal other than livers, frozen:
0207 41	– – Of fowls of the species <i>Gallus domesticus</i> :
0207 42	– – Of turkeys:
0207 43	– – Of ducks, geese or guinea fowls
0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen:
	– Poultry cuts and offal (including livers), fresh or chilled:
0207 31 00	– – Fatty livers of geese or ducks
ex 0207 39	– – Other:
0207 39 90	– – – Poultry livers, other than fatty livers of geese or ducks
0207 50	– Poultry livers, frozen:
0207 50 10	– – Fatty livers of geese or ducks
0207 50 90	– – Other
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal:
0210 90	– Other, including edible flours and meals of meat or meat offal:
	– – Offal:
	– – – Other:
	– – – – Poultry liver:
0210 90 71	– – – – – Fatty livers of geese or ducks, salted or in brine
0210 90 79	– – – – – Other
0209 00	Pig fat free of lean meat and poultry fat (not rendered), fresh, chilled, frozen, salted, in brine, dried or smoked:
0209 00 90	– Poultry fat

CN code	Description
1501 00	Lard; other pig fat and poultry fat, rendered, whether or not pressed or solvent-extracted:
1501 00 90	<ul style="list-style-type: none"> - Other: - - Poultry fat
1602	Other prepared or preserved meat, meat offal or blood
1602 31	<ul style="list-style-type: none"> - Of poultry heading No 0105: - - Of turkeys
1602 39	<ul style="list-style-type: none"> - - Other
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:
0407 00 11	<ul style="list-style-type: none"> - Of poultry: - - For hatching ⁽¹⁾: - - - Of turkeys or geese
0407 00 19	<ul style="list-style-type: none"> - - - Other
0407 00 30	<ul style="list-style-type: none"> - - Other: - - - Unprocessed - - - In the form of egg albumin
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:
0408 11	<ul style="list-style-type: none"> - Egg yolks: - - Dried:
0408 11 10	<ul style="list-style-type: none"> - - - Suitable for human consumption
0408 19	<ul style="list-style-type: none"> - - Other: - - - Suitable for human consumption
0408 19 11	<ul style="list-style-type: none"> - - - - Liquid
0408 19 19	<ul style="list-style-type: none"> - - - - Frozen
0408 91	<ul style="list-style-type: none"> - Other: - - Dried:
0408 91 10	<ul style="list-style-type: none"> - - - Suitable for human consumption
0408 99	<ul style="list-style-type: none"> - - Other:
0408 99 10	<ul style="list-style-type: none"> - - - Suitable for human consumption

⁽¹⁾ Only poultry eggs which fulfil the conditions laid down in the relevant Community provisions are eligible for entry under this subheading.

ANNEX II

'ANNEX

CN code	Description	Amount of security
		ECUS/100 kg net
0105	Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowls:	
	– Weighing not more than 185 g:	
0105 11 00	– – Fowls of the species <i>Gallus domesticus</i>	0,40
0105 19	– – Other:	
0105 19 10	– – – Geese and turkeys	1,50
0105 19 90	– – – Ducks and guinea fowls	0,40
	– Other:	
		ECU/100 kg net
0105 91 00	– – Fowls of the species <i>Gallus domesticus</i>	2,00
0105 99	– – Other	2,00
0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen:	
0207 10	– Poultry not cut in pieces, fresh or chilled:	
	– – Fowls of the species <i>Gallus domesticus</i> :	
0207 10 11	– – – Plucked and gutted, with heads and feet, known as “83 % chickens”	2,00
0207 10 15	– – – Plucked and drawn, without heads and feet, but with necks, hearts, livers and gizzards, known as “70 % chickens”	2,00
0207 10 19	– – – Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “65 % chickens”, or otherwise presented	2,00
	– – Turkeys:	
0207 10 31	– – – Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as “80 % turkeys”	2,80
0207 10 39	– – – Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “73 % turkeys”, or otherwise presented	2,80
	– – Ducks:	
0207 10 51	– – – Plucked, bled, gutted but not drawn, with heads and feet, known as “85 % ducks”	2,60
0207 10 55	– – – Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as “70 % ducks”	2,60
0207 10 59	– – – Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “63 % ducks”, or otherwise presented	2,60
	– – Geese:	
0207 10 71	– – – Plucked, bled, not drawn, with heads and feet, known as “82 % geese”	3,00
0207 10 79	– – – Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as “75 % geese”, or otherwise presented	3,00
0207 10 90	– – Guinea fowls	3,30
	– Poultry not cut in pieces, frozen:	
0207 21	– – Fowls of the species <i>Gallus domesticus</i> :	2,00

CN code	Description	Amount of security
		ECUS/100 kg net
0207 22	-- -- Turkeys	2,80
0207 23	-- -- Ducks, geese and guinea fowls:	
	-- -- -- Ducks:	
0207 23 11	-- -- -- Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as "70 % ducks"	2,60
0207 23 19	-- -- -- Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as "63 % ducks", or otherwise presented	2,60
	-- -- -- Geese:	
0207 23 51	-- -- -- Plucked, bled, not drawn, with heads and feet, known as "82 % geese"	3,00
0207 23 59	-- -- -- Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as "75 % geese", or otherwise presented	3,00
0207 23 90	-- -- -- Guinea fowls	3,30
	-- Poultry cuts and offal (including livers), fresh or chilled:	
0207 39	-- -- Other, not including poultry livers other than fatty livers of geese or ducks (falling within heading No 0207 39 90):	
	-- -- -- Of fowls of the species <i>Gallus domesticus</i> :	
	-- -- -- -- Cuts:	
0207 39 11	-- -- -- -- Boneless	5,40
	-- -- -- -- With bone in:	
0207 39 13	-- -- -- -- Halves or quarters	3,00
0207 39 15	-- -- -- -- Whole wings, with or without tips	1,70
0207 39 17	-- -- -- -- Backs, necks, backs with necks attached, rumps with wing tips	1,20
0207 39 21	-- -- -- -- Breasts and cuts thereof	4,00
0207 39 23	-- -- -- -- Legs and cuts thereof	3,00
0207 39 25	-- -- -- -- Other	5,40
0207 39 27	-- -- -- -- Offal, other than livers	1,20
	-- -- -- Of turkeys:	
	-- -- -- -- Cuts:	
0207 39 31	-- -- -- -- Boneless	5,40
	-- -- -- -- With bone in:	
0207 39 33	-- -- -- -- Halves or quarters	3,00
0207 39 35	-- -- -- -- Whole wings, with or without tips	1,70
0207 39 37	-- -- -- -- Backs, necks, backs with necks attached, rumps and wing tips	1,20
0207 39 41	-- -- -- -- Breasts and cuts thereof	4,00
	-- -- -- -- Legs and cuts thereof:	
0207 39 43	-- -- -- -- Drumsticks and cuts of drumsticks	3,00
0207 39 45	-- -- -- -- Other	3,00
0207 39 47	-- -- -- -- Other	5,40
0207 39 51	-- -- -- -- Offal, other than livers	1,20
	-- -- -- Of ducks, geese and guinea fowls:	
	-- -- -- -- Cuts:	
	-- -- -- -- Boneless:	

CN code	Description	Amount of security
		ECUS/100 kg net
0207 39 53	— — — — — Of geese	5,40
0207 39 55	— — — — — Of ducks and guinea fowls	5,40
	— — — — — With bone in:	
	— — — — — Halves or quarters:	
0207 39 57	— — — — — Of ducks	3,00
0207 39 61	— — — — — Of geese	3,00
0207 39 63	— — — — — Of guinea fowls	3,00
0207 39 65	— — — — — Whole wings, with or without tips	1,70
0207 39 67	— — — — — Backs, necks, backs with necks attached, rumps and wing tips	1,20
	— — — — — Breasts and cuts thereof:	
0207 39 71	— — — — — Of geese	4,00
0207 39 73	— — — — — Of ducks and guinea fowls	4,00
	— — — — — Legs and cuts thereof:	
0207 39 75	— — — — — Of geese	3,00
0207 39 77	— — — — — Of ducks and guinea fowls	3,00
0207 39 81	— — — — — Goose or duck paletots	4,00
0207 39 83	— — — — — Other	5,40
0207 39 85	— — — — Offal, other than livers	1,20
	— Poultry cuts and offal other than livers, frozen:	
0207 41	— — Of fowls of the species <i>Gallus domesticus</i> :	
	— — — Cuts:	
0207 41 10	— — — — Boneless	5,40
	— — — — With bone in:	
0207 41 11	— — — — Halves or quarters	3,00
0207 41 21	— — — — Whole wings, with or without tips	1,70
0207 41 31	— — — — Backs, necks, backs with necks attached, rumps and wing tips	1,20
0207 41 41	— — — — Breasts and cuts thereof	4,00
0207 41 51	— — — — Legs and cuts thereof	3,00
0207 41 71	— — — — Other	5,40
0207 41 90	— — — Offal, other than livers	1,20
0207 42	— — Of turkeys:	
	— — — Cuts:	
0207 42 10	— — — — Boneless	5,40
	— — — — With bone in:	
0207 42 11	— — — — Halves or quarters	3,00
0207 42 21	— — — — Whole wings, with or without tips	1,70
0207 42 31	— — — — Backs, necks, backs with necks attached, rumps and wing tips	1,20
0207 42 41	— — — — Breasts and cuts thereof	4,00
	— — — — Legs and cuts thereof:	
0207 42 51	— — — — Drumsticks and cuts thereof	3,00
0207 42 59	— — — — Other	3,00
0207 42 71	— — — — Other	5,40

CN code	Description	Amount of security
		ECUS/100 kg net
0207 42 90	-- -- Offal, other than livers	1,20
0207 43	-- Of ducks, geese or guinea fowls:	
	-- -- Cuts:	
	-- -- -- Boneless:	
0207 43 11	-- -- -- -- Of geese	5,40
0207 43 15	-- -- -- -- Of ducks and guinea fowls	5,40
	-- -- -- -- With bone in:	
	-- -- -- -- Halves or quarters:	
0207 43 21	-- -- -- -- -- Of ducks	3,00
0207 43 23	-- -- -- -- -- Of geese	3,00
0207 43 25	-- -- -- -- -- Of guinea fowl	3,00
0207 43 31	-- -- -- -- -- Whole wings, with or without tips	1,70
0207 43 41	-- -- -- -- -- Backs, necks, backs with necks attached, rumps and wing tips	1,20
	-- -- -- -- -- Breasts and cuts thereof:	
0207 43 51	-- -- -- -- -- -- Of geese	4,00
0207 43 53	-- -- -- -- -- -- Of ducks and guinea fowls	4,00
	-- -- -- -- -- -- Legs and cuts thereof:	
0207 43 61	-- -- -- -- -- -- Of geese	3,00
0207 43 63	-- -- -- -- -- -- Of ducks and guinea fowls	3,00
0207 43 71	-- -- -- -- -- Goose or duck paletots	4,00
0207 43 81	-- -- -- -- -- Other	5,40
0207 43 90	-- -- -- Offal, other than livers	1,20
0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen:	
	-- Poultry cuts and offal (including livers) fresh or chilled:	
0207 31 00	-- -- Fatty livers of geese or ducks	30,40
0207 39	-- -- Other:	3,00
0207 39 90	-- -- -- Poultry livers, other than fatty livers of geese or ducks	
0207 50	-- Poultry livers, frozen:	
0207 50 10	-- -- Fatty livers of geese or ducks	30,40
0207 50 90	-- -- Other	3,00
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal:	
0210 90	-- Other, including edible flours and meals of meat or meat offal:	
	-- -- Offal:	
	-- -- -- Other:	
	-- -- -- -- Poultry liver:	
0210 90 71	-- -- -- -- -- Fatty livers of geese or ducks, salted or in brine	30,40
0210 90 79	-- -- -- -- -- Other	3,00

CN code	Description	Amount of security
		ECUS/100 kg net
0209 00	Pig fat free of lean meat and poultry fat (not rendered), fresh, chilled, frozen, salted, in brine, dried or smoked:	
0209 00 90	– Poultry fat	2,70
1501 00	Lard; other pig fat and poultry fat, rendered, whether or not pressed or solvent-extracted:	
	– Other:	
1501 00 90	– – Poultry fat	3,20
1602	Other prepared or preserved meat, meat offal or blood:	
	– Of poultry of heading No 0105:	
1602 31	– – Of turkeys:	
	– – – Containing 57 % or more by weight of meat or offal ⁽¹⁾ :	
1602 31 11	– – – – Containing exclusively uncooked turkey meat	5,60
1602 31 19	– – – – Other	5,60
1602 31 30	– – – Containing 25 % or more but less than 57 % by weight of meat or offal ⁽¹⁾	3,20
1602 31 90	– – – Other	1,90
1602 39	– – Other:	
	– – – Containing 57 % or more by weight of poultry meat or offal ⁽¹⁾ :	
1602 39 11	– – – – Uncooked	5,60
1602 39 19	– – – – Other	5,60
1602 39 30	– – – Containing 25 % more but less than 57 % by weight of poultry meat or offal ⁽¹⁾	3,20
1602 39 90	– – – Other	1,90
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:	
	– Of poultry:	
	– – For hatching ⁽²⁾ :	
		ECUS/100 kg net
0407 00 11	– – – Of turkeys or geese	0,80
0407 00 19	– – – Other	0,20
		ECUS/100 kg net
0407 00 30	– – Other	1,70
0408	Birds' eggs, not in shell and yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:	
	– Egg yolks:	
0408 11	– – dried:	

CN code	Description	Amount of security
		ECUS/100 kg net
0408 11 10	— — — edible	8,00
0408 19	— — Other:	
	— — — edible:	
0408 19 11	— — — — liquid	3,60
0408 19 19	— — — — frozen	3,80
	— Other:	
0408 91	— — dried:	
0408 91 10	— — — edible	6,70
0408 99	— — Other:	
0408 99 10	— — — edible	1,80

(1) For the purposes of determining the percentage of poultrymeat, the weight of any bones is to be disregarded.

(2) Only poultry eggs which fulfil the conditions laid down in the relevant Community provisions are eligible for entry under this subheading.