

**COMMISSION REGULATION (EC) No 749/2002**  
**of 30 April 2002**  
**amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for**  
**export refunds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat <sup>(1)</sup>, as last amended by Regulation (EC) No 1365/2000 <sup>(2)</sup>, and in particular Article 13(12) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3846/87 of 17 December 1987 establishing an agricultural product nomenclature for export refunds <sup>(3)</sup>, as last amended by Regulation (EC) No 488/2002 <sup>(4)</sup>, establishes a nomenclature of agricultural products for export refunds based on the Combined Nomenclature.
- (2) The recent amendment of the export nomenclature laid down by Regulation (EEC) No 3846/87 subdivided CN code 1602 in a more detailed way. In order to facilitate the application of the refunds for these different product

codes, it is appropriate to lay down particular provisions.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

*Article 1*

- In Sector 6 of Annex I to Regulation (EEC) No 3846/87:
- the text relating to CN code 1602 is replaced by that given in Annex I hereto, and
  - footnotes 17 and 18 given in Annex II hereto are inserted.

*Article 2*

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

It shall apply to export licences applied for from 13 May 2002.

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

Done at Brussels, 30 April 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 282, 1.11.1975, p. 1.

<sup>(2)</sup> OJ L 156, 29.6.2000, p. 5.

<sup>(3)</sup> OJ L 366, 24.12.1987, p. 1.

<sup>(4)</sup> OJ L 76, 19.3.2002, p. 11.

## ANNEX I

CN code	Description of goods	Product code
'ex 1602	Other prepared or preserved meat, meat offal or blood:	
	– Of swine:	
ex 1602 41	-- Hams and cuts thereof:	
ex 1602 41 10	--- Of domestic swine (?):	
	---- Cooked, containing by weight 80 % or more of meat and fat ( <sup>8</sup> ) ( <sup>9</sup> ):	
	----- In immediate packings with a net weight of 1 kg or more ( <sup>17</sup> )	1602 41 10 9110
	----- In immediate packings with a net weight of less than 1 kg	1602 41 10 9130
ex 1602 42	-- Shoulders and cuts thereof:	
ex 1602 42 10	--- Of domestic swine (?):	
	---- Cooked, containing by weight 80 % or more of meat and fat ( <sup>8</sup> ) ( <sup>9</sup> ):	
	----- In immediate packings with a net weight of 1 kg or more ( <sup>18</sup> )	1602 42 10 9110
	----- In immediate packings with a net weight of less than 1 kg	1602 42 10 9130
ex 1602 49	-- Other, including mixtures:	
	--- Of domestic swine:	
	---- Containing by weight 80 % or more of meat or meat offal, of any kind, including fats of any kind or origin:	
ex 1602 49 19	----- Other (?) ( <sup>10</sup> ):	
	----- Cooked, containing by weight 80 % or more of meat and fat ( <sup>8</sup> ) ( <sup>9</sup> ):	
	----- Not containing the meat or offal of poultry:	
	----- Containing a product composed of clearly recognisable pieces of muscular meat which, due to their size are not identifiable as having been obtained from hams, shoulders, loins or collars, together with small particles of visible fat and small quantities of jelly deposits	1602 49 19 9130'

## ANNEX II

(<sup>17</sup>) In the case that the classification of the goods as hams or cuts of hams of heading 1602 41 10 9110 is not justified on the basis of the provisions of additional note 2 of Chapter 16 of the CN, the refund for product code 1602 42 10 9110 or, as the case may be, 1602 49 19 9130 may be granted, without prejudice to the application of Article 51 of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

(<sup>18</sup>) In the case that the classification of the goods as shoulders or cuts of shoulders of heading 1602 42 10 9110 is not justified on the basis of the provisions of additional note 2 of chapter 16 of the CN, the refund for product code 1602 49 19 9130 may be granted, without prejudice to the application of Article 51 of Regulation (EC) No 800/1999.'