

ANNEX I

LIST OF ANIMALS, PRODUCTS OF ANIMAL ORIGIN, GERMINAL PRODUCTS, ANIMAL BY-PRODUCTS AND DERIVED PRODUCTS AND HAY AND STRAW SUBJECT TO OFFICIAL CONTROLS AT BORDER CONTROL POSTS AS REFERRED TO IN ARTICLE 3

CHAPTER 4

Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included

Notes to Chapter 4 (extract from the Notes to this Chapter of the CN)

1. The expression 'milk' means full-cream milk or partially or completely skimmed milk.
2. For the purposes of heading 0405:
 - (a) the term 'butter' means natural butter, whey butter or recombined butter (fresh, salted or rancid, including canned butter) derived exclusively from milk, with a milkfat content of 80 % or more but not more than 95 % by weight, a maximum milk solids-not-fat content of 2 % by weight and a maximum water content of 16 % by weight. Butter does not contain added emulsifiers, but may contain sodium chloride, food colours, neutralising salts and cultures of harmless lactic-acid-producing bacteria;
 - (b) the expression 'dairy spreads' means a spreadable emulsion of the water-in-oil type, containing milkfat as the only fat in the product, with a milkfat content of 39 % or more but less than 80 % by weight.
3. Products obtained by the concentration of whey and with the addition of milk or milkfat are to be classified as cheese in heading 0406 provided that they have the three following characteristics:
 - (a) a milkfat content, by weight of the dry matter, of 5 % or more;
 - (b) a dry matter content, by weight, of at least 70 % but not exceeding 85 %; and
 - (c) they are moulded or capable of being moulded.
4. This chapter does not cover:
 - (a) products obtained from whey, containing by weight more than 95 % lactose, expressed as anhydrous lactose calculated on the dry matter (heading 1702);
 - (b) products obtained from milk by replacing one or more of its natural constituents (for example, butyric fats) by another substance (for example, oleic fats) (heading 1901 or 2106); or
 - (c) albumins (including concentrates of two or more whey proteins, containing by weight more than 80 % whey proteins, calculated on the dry matter) (heading 3502) or globulins (heading 3504).

Extracts from the Harmonized System Explanatory Notes

Heading 0408 covers whole eggs not in shell, and egg yolks of all birds. The products of this heading may be fresh, dried, cooked by steaming or by boiling in water, moulded (e.g.

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cylindrical ‘long eggs’), frozen or otherwise preserved. All these fall in the heading whether or not containing added sugar or other sweetening matter and whether for use as food or for industrial purposes (e.g., in tanning).

This heading does not cover:

- (a) Oil of egg yolk (heading 1506).
- (b) Egg preparations containing seasoning, spices or other additives (heading 2106).
- (c) Lecithin (heading 2923).
- (d) Separate egg white (egg albumin) (heading 3502).

...

Heading 0409 covers honey produced by bees (*Apis mellifera*) or by other insects, centrifuged or in the comb or containing comb chunks, provided that neither sugar nor other substance has been added. Such honey may be designated by floral source, origin or colour.

Heading 0409 excludes artificial honey and mixtures of natural and artificial honey (heading 1702).

...

Heading 0410 covers products of animal origin suitable for human consumption, not specified or included elsewhere in the Combined Nomenclature. This includes:

- (a) Turtles eggs. These are eggs laid by river or marine turtles; they may be fresh, dried or otherwise preserved.

Turtle#egg oil is excluded (heading 15.06).

- (b) Salanganes’ nests (‘birds nests’). These consist of a substance secreted by the bird which solidifies rapidly on exposure to air.
 - b The nests may be presented untreated, or they may have been cleaned to remove feathers, down, dust and other impurities in order to render them suitable for consumption. They are generally in the form of whitish strips or threads.
 - c Salanganes’ nests have a high protein content and are used almost exclusively to make soups or other food preparations.

Heading 0410 excludes animal blood, edible or not, liquid or dried (heading 0511 or 3002).

CN code	Description	Qualification and explanation
(1)	(2)	(3)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	All. Milk for animal feed is covered under this heading, whereas animal feed containing milk is covered in heading 2309. Milk for therapeutic/prophylactic uses is covered in heading 3001.

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0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	All.
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa	All, covers cream, flavoured or containing fruits, frozen and fermented milk, for human consumption. Ice cream is covered in heading 2105. Beverages containing milk flavoured with cocoa or other substances are covered in heading 2202.
0404	Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included	All, covers milk products for infants. Covers in CN code 0404 10 48 bovine colostrum, in liquid form, defatted and de-caseinated, for human consumption, and in CN code 0404 90 21 spray-dried, reduced-fat colostrum powder which has not been de-caseinated, for human consumption.
0405	Butter and other fats and oils derived from milk; dairy spreads	All.
0406	Cheese and curd	All
0407	Birds' eggs, in shell, fresh, preserved or cooked	All, covers hatching eggs and specified pathogen free eggs (SPF), fertilised eggs for incubation (0407 11 and 0407 19). Covers fresh eggs (0407 21 to 0407 29) and other eggs (0407 90), not fit and fit for human consumption. Covers '100 year old eggs'. Egg albumin not fit and fit for human consumption is covered in heading 3502.
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	All: this heading covers egg products whether or not heat treated and products not fit for human consumption.

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	containing added sugar or other sweetening matter	
0409 00 00	Natural honey	All
0410 00 00	Edible products of animal origin, not elsewhere specified or included	All This heading covers 'royal jelly' and propolis (used in manufacture for pharmaceutical products and food supplements) and other animal derived material for human consumption, except bones (which are covered in 0506). Insects or insect eggs for human consumption are covered in this CN code.

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