

▼B**REGULATION (EEC) No 827/68 OF THE COUNCIL****of 28 June 1968****on the common organisation of the market in 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 Articles 42 and 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas a common organisation of the market, involving a special system of rules has been established or is shortly to be established for many of the products listed in Annex II the Treaty; whereas appropriate provisions must also be adopted, within the framework of a common organisation of markets, so as to permit the establishment of a single market for all the other products listed in that Annex;

Whereas the establishment of this single market entails the introduction of a single trading system at the external frontiers of the Community; whereas the essence of this system may be expressed as the integral application of the Common Customs Tariff and the liberalisation of trade;

Whereas, however, in exceptional circumstances, the protection resulting from application of the Common Customs Tariff may prove defective; whereas, in such cases, so as not to leave the Community market without defence against disturbances which may arise therefrom after the import barriers which existed previously have been abolished, the Community should be enabled to take all necessary measures without delay;

Whereas the establishment of a single market for all the products in question involves the removal at the internal frontiers of the Community of all obstacles to the free movement of these goods;

Whereas the establishment of this single market would be jeopardised by the granting of certain aids; whereas, therefore, the provisions of the Treaty, which allow the assessment of aids granted by Member States and the prohibition of those which are incompatible with the common market, should be made to apply to the products covered by this Regulation;

Whereas, in order to facilitate implementation of the proposed measures, a procedure should be provided for establishing close co-operation between Member States and the Commission within a Management Committee;

Whereas the transition from the system in force in Member States to that established by this Regulation should be effected as smoothly as possible; whereas, to that end, transitional measures may prove necessary;

Whereas the common organisation of the market in the products covered by this Regulation must take appropriate account, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty;

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HAS ADOPTED THIS REGULATION:

Article 1

The common organisation of the market established by this Regulation shall cover the products listed in the Annex.

▼M17*Article 2*

1. Unless this Regulation provides otherwise, the rates of duty in the Common Customs Tariff shall apply to the products listed in the Annex.

2. The general rules for the interpretation of the combined nomenclature and the special rules for its application shall apply to the classification of products covered by this Regulation; the tariff nomenclature resulting from the application of this Regulation shall be incorporated in the Common Customs Tariff.

3. Save as otherwise provide for in this Regulation or in provisions adopted pursuant thereto and subject to the obligations arising from international agreements concerning the products listed in the Annex, the following shall be prohibited in trade with third countries:

- the levying of any charge having equivalent effect to a customs duty,
- the application of any quantitative restriction or measure having equivalent effect.

Article 3

1. If, by reason of imports or exports, the Community market in one or more of the products listed in the Annex is affected by, or is threatened with, serious disturbance likely to jeopardize the achievement of the objectives set out in Article 39 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased.

The Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, shall adopt the general rules for the application of this paragraph and shall define in what cases and within what limits Member States may take protective measures.

2. If the situation referred to in paragraph 1 arises, the Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures; the Member States shall be notified of such measures, which shall be immediately applicable. If the Commission receives a request from a Member State, it shall take a decision thereon within three working days following receipt of the request.

3. Measures decided upon by the Commission may be referred to the Council by any Member State within three working days of the day on which they were notified. The Council shall meet without delay. It may, acting by a qualified majority, amend or annul the measure in question.

4. This Article shall be applied having regard to the obligations arising from agreements concluded in accordance with Article 228 (2) of the Treaty.

▼B*Article 4*

1. The following shall be prohibited in the internal trade of the Community:

- the levying of any customs duty or charge having equivalent effect;
- any quantitative restriction or measure having equivalent effect, subject to the provisions of the Protocol on the Grand Duchy of Luxembourg;

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— recourse to Article 44 of the Treaty.

2. The goods listed in the Annex which are manufactured or obtained from products which are not in the situation specified in Article 9 (2) and Article 10 (1) of the Treaty, shall not be admitted to free circulation within the Community.

Article 5

Articles 92, 93 and 94 of the Treaty shall apply to the production of and trade in the products listed in the Annex.

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Nevertheless, subject to Commission authorization, aids for the production and marketing of reindeer and reindeer products (CN ex 0208 and ex 0210) may be granted by Finland and Sweden insofar as they do not entail any increase in traditional levels of production.

▼M17*Article 6*

Where reference is made to this Article, measures shall be adopted in accordance with the procedures laid down in Article 38 of Regulation No 136/66/EEC and the corresponding Articles of the other regulations on the common organization of agricultural markets.

▼B*Article 7*

This Regulation shall be so applied that appropriate account is taken, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty.

Article 8

This Regulation shall apply without prejudice to the Community provisions adopted or to be adopted with a view to harmonising the laws, regulations and administrative action of Member States the purpose of which is to maintain or improve the technical or genetic level of the production of certain products listed in the Annex and intended specifically for reproduction.

Article 9

Should transitional measures be necessary to facilitate the transition from the system in force in Member States to that of this Regulation, in particular if the introduction of this system on the date provided for would give rise to substantial difficulties in respect of certain products, such measures shall be adopted in accordance with the procedure laid down in Article 6. They shall be applicable until 30 June 1969 at the latest.

Article 10

This Regulation shall enter into force on 1 July 1968.

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

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ANNEX

CN code	Description
ex 0101	Live horses, asses, mules and hinnies:
0101 10	– Pure-bred breeding animals:
0101 10 10	– – Horses (*)
0101 10 90	– – Other
0101 90	– Other:
	– – Horses:
0101 90 19	– – – Other than for slaughter
0101 90 30	– – Asses
0101 90 90	– – Mules and hinnies
ex 0102	Live bovine animals:
ex 0102 90	– Other than pure-bred breeding animals:
0102 90 90	– – Other than domestic species
ex 0103	Live swine:
0103 10 00	– Pure-bred breeding animals (*)
	– Other:
ex 0103 91	– – Weighing less than 50 kg:
0103 91 90	– – – Other than domestic species
ex 0103 92	– – Weighing 50 kg or more
0103 92 90	– – Other than domestic species
0106 00	Other live animals
ex 0203	Meat of swine, fresh, chilled or frozen:
	– fresh or chilled:
ex 0203 11	– – Carcases and half-carcases:
0203 11 90	– – – Other than of domestic swine
ex 0203 12	– – Hams, shoulders and cuts thereof, with bone in:
0203 12 90	– – – Other than of domestic swine
ex 0203 19	– – Other:
0203 19 90	– – – Other than of domestic swine
	– – frozen
ex 0203 21	– – Carcases and half-carcases:
0203 21 90	– – – Other than of domestic swine
ex 0203 22	– – Hams, shoulders and cuts thereof, with bone in:
0203 22 90	– – – Other than of domestic swine
ex 0203 29	– – Other:
0203 29 90	– – – Other than of domestic swine
ex 0205 00	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen:
0205 00 90	– Of asses, mules or hinnies
ex 0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen:
ex 0206 10	– Of bovine animals, fresh or chilled
0206 10 10	– – For the manufacture of pharmaceutical products (*)
	– Of bovine animals, frozen:
ex 0206 22 00	– – Livers:
	– – – For the manufacture of pharmaceutical products
ex 0206 29	– – Other:
0206 29 10	– – – For the manufacture of pharmaceutical products (*)
ex 0206 30	– Of swine, fresh or chilled:

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CN code	Description
	-- Of domestic swine:
ex 0206 30 20	---- Livers:
	----- For the manufacture of pharmaceutical products
ex 0206 30 30	---- Other:
	----- For the manufacture of pharmaceutical products
0206 30 80	-- Other
	-- Of swine, frozen:
ex 0206 41	-- Livers:
ex 0206 41 20	---- Of domestic swine:
	----- For the manufacture of pharmaceutical products
0206 41 80	---- Other
ex 0206 49	-- Other:
ex 0206 49 20	---- Of domestic swine:
	----- For the manufacture of pharmaceutical products
0206 49 80	---- Other
ex 0206 80	-- Other, fresh or chilled:
0206 80 10	-- For the manufacture of pharmaceutical products (°)
	-- Other:
0206 80 91	---- Of horses, asses, mules and hinnies
ex 0206 90	-- Other, frozen:
0206 90 10	-- For the manufacture of pharmaceutical products (°)
	-- Other:
0206 90 91	---- Of horses, asses, mules and hinnies
0208	Other meat and edible meat offal, fresh, chilled or frozen
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal:
	-- Meat of swine:
ex 0210 11	-- Hams, shoulders and cuts thereof, with bone in:
0210 11 90	---- Other than of domestic swine
ex 0210 12	-- Bellies (streaky) and cuts thereof:
0210 12 90	---- Other than of domestic swine
ex 0210 19	-- Other:
0210 19 90	---- Other than of domestic swine
	-- Other, including edible flours and meals of meat or meat offal:
0210 91 00	-- Of primates
0210 92 00	-- Of whales, dolphins and porpoises (mammals of the order <i>Cetacea</i>); of manatees and dugongs (mammals of the order <i>Sirenia</i>)
0210 93 00	-- Of reptiles (including snakes and turtles)
ex 0210 99	-- Other:
	---- Meat:
0210 99 31	----- Of reindeer
0210 99 39	----- Other
	---- Offal:
	----- Other than of domestic swine, bovine animals, sheep and goats
0210 99 80	----- Other than poultry livers
ex 0407 00	Birds' eggs, in shell, fresh, preserved or cooked:
0407 00 90	-- Other than of farmyard poultry

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CN code	Description
ex 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:
	– Egg yolks:
ex 0408 11	– – Dried:
0408 11 20	– – – Unfit for human consumption ^(d)
ex 0408 19	– – Other:
0408 19 20	– – – Unfit for human consumption ^(d)
	– Other:
ex 0408 91	– – Dried:
0408 91 20	– – – Unfit for human consumption ^(d)
ex 0408 99	– – Other:
0408 99 20	– – – Unfit for human consumption ^(d)
0410 00 00	Edible products of animal origin, not elsewhere specified or included
0504 00 00	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked:
ex 0511	Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption:
0511 10 00	– Bovine semen
	– Other:
0511 91	– – Products of fish or crustaceans, molluscs or other aquatic invertebrates; dead animals of Chapter 3
ex 0511 99	– – Other:
0511 99 90	– – – Other than sinews or tendons, parings and similar waste of raw hides or skins
ex 0709	Other vegetables, fresh or chilled:
ex 0709 60	– Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> :
	– – other:
0709 60 91	– – – Of the genus <i>Capsicum</i> , for the manufacture of capsaicin or capsaicin oleoresin dyes ^(e)
0709 60 95	– – – For the industrial manufacture of essential oils or resinoids ^(e)
0709 60 99	– – – Other
ex 0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:
ex 0710 80	– Other vegetables:
	– – Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> :
0710 80 59	– – – Other than sweet peppers
ex 0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for human consumption:
ex 0711 90	– Other vegetables; mixtures of vegetables:
	– – Vegetables:
0711 90 10	– – – Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , excluding sweet peppers
0713	Dried leguminous vegetables, shelled, whether or not skinned or split:
ex 0713 10	– Peas (<i>Pisum sativum</i>):
0713 10 90	– – Other than for sowing
ex 0713 20 00	– Chickpeas:
	– – Other than for sowing
	– Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.):
ex 0713 31 00	– – Beans of the species <i>Vigna mungo</i> (L) Hepper or <i>Vigna radiata</i> (L) Wilczek:

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CN code	Description
ex 0713 32 00	<ul style="list-style-type: none"> — — — Other than for sowing — — Small red (Adzuki) beans (<i>Phaseolus</i> or <i>Vigna angularis</i>): — — — Other than for sowing
ex 0713 33	<ul style="list-style-type: none"> — — Kidney beans, including white pea beans (<i>Phaseolus vulgaris</i>): — — — Other than for sowing
0713 33 90	<ul style="list-style-type: none"> — — — Other than for sowing
ex 0713 39 00	<ul style="list-style-type: none"> — — Other: — — — Other than for sowing
ex 0713 40 00	<ul style="list-style-type: none"> — Lentils: — — — Other than for sowing
ex 0713 50 00	<ul style="list-style-type: none"> — Broad beans (<i>Vicia faba</i> var. <i>major</i> and horse beans (<i>Vicia faba</i> var. <i>equina</i> and <i>Vicia faba</i> var. <i>minor</i>): — — Other than for sowing
ex 0713 90	<ul style="list-style-type: none"> — Other: — — Other than for sowing
0713 90 90	<ul style="list-style-type: none"> — — Other than for sowing
0801	Coconuts, Brazil nuts and cashew nuts, fresh or dried, whether or not shelled or peeled:
0802	Other nuts, fresh or dried, whether or not shelled or peeled:
ex 0802 90	<ul style="list-style-type: none"> — Other: — — Areca (or betel), and cola
ex 0802 90 20	<ul style="list-style-type: none"> — — Areca (or betel), and cola
ex 0804	Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried:
0804 10 00	<ul style="list-style-type: none"> — Dates
0902	Tea, whether or not flavoured
ex 0904	Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , excluding sweet peppers falling within subheading 0904 20 10
0905 00 00	Vanilla
0906	Cinnamon and cinnamon-tree flowers
0907 00 00	Cloves (whole fruit, cloves and stems)
0908	Nutmeg, mace and cardamoms
0909	Seeds of anise, badian, fennel, coriander, cumin or caraway; juniper berries
0910	Ginger, saffron, turmeric (<i>curcuma</i>), thyme, bay leaves, curry and other spices
ex 1106	Flour and meal of the dried leguminous vegetables of heading 0713, of sago or of roots or tubers of heading 0714 or of the products of Chapter 8:
1106 10 00	<ul style="list-style-type: none"> — Of the dried leguminous vegetables of heading 0713
ex 1106 30	<ul style="list-style-type: none"> — Of the products of Chapter 8: — — Other
1106 30 90	<ul style="list-style-type: none"> — — Other
ex 1108	Starches; inulin:
1108 20 00	<ul style="list-style-type: none"> — Inulin
1211	Plants and parts of plants (including seeds and fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered
ex 1212	Locust beans, seaweeds and other algae, sugar beet and sugar cane, fresh, chilled, frozen or dried, whether or not ground; fruit stones and kernels and other vegetable products (including unroasted chicory roots of the variety <i>Cichorium intybus sativum</i>) of a kind used primarily for human consumption, not elsewhere specified or included:
ex 1212 20 00	<ul style="list-style-type: none"> — Seaweeds and other algae used primarily in pharmacy or for human consumption — Apricot, peach (including nectarine) or plum stones and kernels
1212 30 00	<ul style="list-style-type: none"> — Apricot, peach (including nectarine) or plum stones and kernels

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CN code	Description
	– Other:
ex 1212 99	– – Other than sugar beet and sugar cane:
ex 1212 99 80	– – – Other, excluding chicory root
1213 00 00	Cereal straw and husks, unprepared, whether or not chopped, ground, pressed or in the form of pellets
ex 1214	Swedes, mangolds, fodder roots, hay, lucerne (alfalfa), clover, sainfoin, forage kale, lupines, vetches and similar forage products, whether or not in the form of pellets:
ex 1214 90	– Other:
1214 90 10	– – Mangolds, swedes and other fodder roots
	– – Other:
ex 1214 90 91 and ex 1214 90 99	– – – In the form of pellets and other, excluding: – Lucerne, sainfoin, clover, lupines, vetches and similar fodder products artificially heat-dried, except hay and fodder kale and products containing hay – Lucerne, sainfoin, clover, lupines and vetches otherwise dried and ground
ex 1502 00	Fats of bovine animals, sheep or goats, other than those of heading 1503):
ex 1502 00 10	– For industrial uses other than the manufacture of products for human consumption, excluding fats obtained from bones and waste (°)
1503 00	Lard stearin, lard oil, oleostearin, oleo oil and tallow oil, not emulsified or mixed or otherwise prepared:
ex 1602	Other prepared or preserved meat, meat offal or blood:
	– Of swine:
ex 1602 41	– – Hams and cuts thereof:
1602 41 90	– – – Other than of domestic swine
ex 1602 42	– – Shoulders and cuts thereof:
1602 42 90	– – – Other than of domestic swine
ex 1602 49	– – Other, including mixtures:
1602 49 90	– – – Other than of domestic swine
ex 1602 90	– Other, including preparations of blood of any animal:
	– – Other than preparations of blood of any animal:
1602 90 31	– – – Of game or rabbit
1602 90 41	– – – Of reindeer
	– – – Other:
	– – – – Other than containing the meat or meat offal of domestic swine:
	– – – – – Other than containing bovine meat or meat offal:
1602 90 98	– – – – – Other than of sheep or goats
1603 00	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates
1801 00 00	Cocoa beans, whole or broken, raw or roasted
1802 00 00	Cocoa shells, husks, skins and other cocoa waste
ex 2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:
ex 2001 90	– Other:
2001 90 20	– – Fruits of the genus <i>Capsicum</i> other than sweet peppers or pimentos
ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:
ex 2005 90	– Other vegetables and mixtures of vegetables:
2005 90 10	– – Fruits of the genus <i>Capsicum</i> other than sweet peppers or pimentos

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CN code	Description
ex 2206 2206 00 31 to 2206 00 89	Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included: – Other than piquette
ex 2301 2301 10 00	Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves: – Flours, meals and pellets, of meat or meat offal; greaves
ex 2302 2302 50 00	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants: – Of leguminous plants
ex 2307 00 2307 00 90	Wine lees; argol: – Argol
ex 2308 00 2308 00 90	Vegetable materials and vegetable waste, vegetable residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included: – – Other than grape marc, acorns and horse-chestnuts, pomace or marc of fruit, other than grapes
ex 2309	Preparations of a kind used in animal feeding:
ex 2309 10 2309 10 90	– Dog or cat food, put up for retail sale: – – Other than containing starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55, or milk products
ex 2309 90 2309 90 10	– Other: – – Fish or marine mammal solubles – – Other:
ex 2309 90 91 to 2309 90 97	– – – Other than containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55, or milk products, excluding – Protein concentrates obtained from lucerne juice and grass juice – Dehydrated products obtained exclusively from solid residues and juice resulting from the preparation of the concentrates referred to in the first indent

(*) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions (see Council Directive 94/28/EC (OJ L 178, 12.7.1994, p. 66); Commission Decision 93/623/EEC (OJ L 298, 3.12.1993, p. 45)).

(b) Entry under this subheading is subject to conditions laid down in the relevant Community provisions (see Council Directive 88/661/EEC (OJ L 382, 31.12.1988, p. 36); Council Directive 94/28/EC; Commission Decision 96/510/EC (OJ L 210, 20.8.1996, p. 53)).

(c) Entry under this subheading is subject to conditions laid down in the relevant Community provisions (see Articles 291 to 300 of Commission Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993, p. 1) and subsequent amendments).

(d) Entry under this subheading is subject to conditions laid down in Section IIF of the preliminary provisions of the Combined Nomenclature (Annex I to Regulation (EEC) No 2658/87)