

COMMISSION REGULATION (EC) No 2899/95
of 15 December 1995
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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1538/95 ⁽²⁾, and in particular Article 17 (14) thereof,

Whereas Commission Regulation (EC) No 2448/95 of 10 October 1995 amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾ provides for amendments for certain products falling within CN codes 0403, 0404 and 0405 from 1 January 1996; whereas the classification of certain cheeses falling within CN code 0406 is reserved for imports;

Whereas Commission Regulation (EEC) No 3846/87 ⁽⁴⁾, as last amended by Regulation (EC) No 2806/95 ⁽⁵⁾ establishes, on the basis of the combined nomenclature, an agricultural product nomenclature for refunds; whereas that nomenclature should be amended accordingly;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

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

Done at Brussels, 15 December 1995.

HAS ADOPTED THIS REGULATION:

Article 1

Sector 10 of the Annex to Regulation (EEC) No 3846/87 is hereby amended as follows:

- the information relating to headings CN 0403 10 to 0403 10 36 is replaced by the information given in Annex I hereto,
- the information relating to heading CN 0404 90 is replaced by the information given in Annex II hereto,
- the information relating to heading CN 0405 is replaced by the information in Annex III hereto,
- the information relating to subheadings 0406 90 02 to 0406 90 06 is deleted,
- in notes 4 and 5, the references to Article 2 (3) of Regulation (EEC) No 1098/68 are replaced by references to Article 12 (3) of Regulation (EC) No 1466/95,
- in note 6, heading CN 0406 90 93 is deleted.

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 from 1 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 17.

⁽³⁾ OJ No L 259, 30. 10. 1995, p. 1.

⁽⁴⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 291, 6. 12. 1995, p. 14.

ANNEX I

CN code	Description of goods	Product code
'ex 0403 10	– Yogurt :	
	– – Not flavoured nor containing added fruit or cocoa :	
	– – – Not containing added sugar or other sweetening matter, of a fat content, by weight :	
0403 10 11	– – – – Not exceeding 3 % :	
	– – – – – Not exceeding 1,5 % :	
	– – – – – Other than in powder, granules or other solid forms (1)	0403 10 11 400
	– – – – – Exceeding 1,5 % :	
	– – – – – Other than in powder, granules or other solid forms (1)	0403 10 11 800
0403 10 13	– – – – Exceeding 3 % but not exceeding 6 % :	
	– – – – – Other than in powder, granules or other solid forms (1)	0403 10 13 800
0403 10 19	– – – – Exceeding 6 % :	
	– – – – – Other than in powder, granules or other solid forms (1)	0403 10 19 800
	– – – Other, of a fat content, by weight (*) :	
0403 10 31	– – – – Not exceeding 3 % :	
	– – – – – Not exceeding 1,5 % :	
	– – – – – Other than in powder, granules or other solid forms (1)	0403 10 31 400
	– – – – – Exceeding 1,5 % :	
	– – – – – Other than in powder, granules or other solid forms (1)	0403 10 31 800
0403 10 33	– – – – Exceeding 3 % but not exceeding 6 % :	
	– – – – – Other than in powder, granules or other solid forms (1)	0403 10 33 800
0403 10 39	– – – – Exceeding 6 % :	
	– – – – – Other than in powder, granules or other solid forms (1)	0403 10 39 800

ANNEX II

Code NC	Désignation des marchandises	Code des produits
0404 90	— Other :	
	— — Not containing added sugar or other sweetening matter, of a fat content by weight :	
0404 90 21	— — — Not exceeding 1,5 % :	
	— — — — In powder or granules ⁽²⁾	0404 90 21 100
	— — — — Other ⁽¹⁾ , of a non-fat lactic dry matter content :	
	— — — — — Of less than 15 % by weight	0404 90 21 910
	— — — — — Of 15 % or more by weight	0404 90 21 950
0404 90 23	— — — Exceeding 1,5 % but not exceeding 27 % :	
	— — — — In powder or granules ⁽²⁾ :	
	— — — — — Of a fat content by weight :	
	— — — — — — Not exceeding 11 %	0404 90 23 120
	— — — — — — Exceeding 11 % but not exceeding 17 %	0404 90 23 130
	— — — — — — Exceeding 17 % but not exceeding 25 %	0404 90 23 140
	— — — — — — Exceeding 25 %	0404 90 23 150
	— — — — — Other than in powder or granules ⁽¹⁾ :	
	— — — — — — Of a non-fat lactic dry matter content of less than 15 % by weight and a fat content by weight :	
	— — — — — — — Not exceeding 3 %	0404 90 23 911
	— — — — — — — Exceeding 3 % but not exceeding 6 %	0404 90 23 913
	— — — — — — — Exceeding 6 % but not exceeding 10 %	0404 90 23 915
	— — — — — — — Exceeding 10 % but not exceeding 17 %	0404 90 23 917
	— — — — — — — Exceeding 17 %	0404 90 23 919
	— — — — — — Of a non-fat lactic dry matter content of not less than 15 % by weight and a fat content by weight :	
	— — — — — — — Not exceeding 3 %	0404 90 23 931
	— — — — — — — Exceeding 3 % but not exceeding 7,4 %	0404 90 23 933
	— — — — — — — Exceeding 7,4 % but not exceeding 8 %	0404 90 23 935
	— — — — — — — Exceeding 8 % but not exceeding 10 %	0404 90 23 937
	— — — — — — — Exceeding 10 %	0404 90 23 939
ex 0404 90 29	— — — Exceeding 27 % :	
	— — — — In powder or granules ⁽²⁾ , of a fat content by weight :	
	— — — — — Not exceeding 28 %	0404 90 29 110
	— — — — — Exceeding 28 % but not exceeding 29 %	0404 90 29 115
	— — — — — Exceeding 29 % but not exceeding 41 %	0404 90 29 120
	— — — — — Exceeding 41 % but not exceeding 45 %	0404 90 29 130
	— — — — — Exceeding 45 % but not exceeding 59 %	0404 90 29 135
	— — — — — Exceeding 59 % but not exceeding 69 %	0404 90 29 150
	— — — — — Exceeding 69 % but not exceeding 79 %	0404 90 29 160
	— — — — — Exceeding 79 %	0404 90 29 180

Code NC	Désignation des marchandises	Code des produits
	— — Other, of a fat content by weight :	
0404 90 81	— — — Not exceeding 1,5 % :	
	— — — — In powder or granules (*)	0404 90 81 100
	— — — — Other, of a non-fat lactic dry matter content :	
	— — — — — Of less than 15 % by weight (*)	0404 90 81 910
	— — — — — Of 15 % or more by weight (‡)	0404 90 81 950
ex 0404 90 83	— — — Exceeding 1,5 % but not exceeding 27 % :	
	— — — — In powder or granules (*) :	
	— — — — — Of a fat content by weight :	
	— — — — — — Not exceeding 11 %	0404 90 83 110
	— — — — — — Exceeding 11 % but not exceeding 17 %	0404 90 83 130
	— — — — — — Exceeding 17 % but not exceeding 25 %	0404 90 83 150
	— — — — — — Exceeding 25 %	0404 90 83 170
	— — — — — Other than in powder or granules :	
	— — — — — — Of a non-fat lactic dry matter content of less than 15 % by weight and a fat content by weight (*) :	
	— — — — — — — Not exceeding 3 %	0404 90 83 911
	— — — — — — — Exceeding 3 % but not exceeding 6 %	0404 90 83 913
	— — — — — — — Exceeding 6 % but not exceeding 10 %	0404 90 83 915
	— — — — — — — Exceeding 10 % but not exceeding 17 %	0404 90 83 917
	— — — — — — — Exceeding 17 %	0404 90 83 919
	— — — — — — Of a non-fat lactic dry matter content of not less than 15 % by weight and a fat content by weight (‡) :	
	— — — — — — — Not exceeding 3 %	0404 90 83 931
	— — — — — — — Exceeding 3 % but not exceeding 6,9 %	0404 90 83 933
	— — — — — — — Exceeding 6,9 % but not exceeding 9,5 %	0404 90 83 935
	— — — — — — — Exceeding 9,5 % but not exceeding 21 %	0404 90 83 937
0404 90 89	— — — Exceeding 27 % :	
	— — — — In powder or granules, of a fat content by weight (*) :	
	— — — — — Not exceeding 41 %	0404 90 89 130
	— — — — — Exceeding 41 %	0404 90 89 150
	— — — — — Other than in powder or granules, of a fat content by weight (‡) :	
	— — — — — — Not exceeding 39 %	0404 90 89 930
	— — — — — — Exceeding 39 % but not exceeding 45 %	0404 90 89 950
	— — — — — — Exceeding 45 %	0404 90 89 990'

ANNEX III

CN code	Description of goods	Product code
'ex 0405	Butter and other fats and oils derived from milk; dairy spreads:	
0405 10	- Butter:	
	- - Of a fat content, by weight, not exceeding 85 %:	
	- - - Natural butter:	
0405 10 11	- - - - In immediate packings of a net content not exceeding 1 kg:	
	- - - - - Of a fat content by weight:	
	- - - - - - Of 80 % or more but less than 82 %	0405 10 11 500
	- - - - - - Of 82 % or more	0405 10 11 700
0405 10 19	- - - - Other:	
	- - - - - Of a fat content by weight:	
	- - - - - - Of 80 % or more but less than 82 %	0405 10 19 500
	- - - - - - Of 82 % or more	0405 10 19 700
0405 10 30	- - - Recombined butter:	
	- - - - In immediate packings of a net content not exceeding 1 kg:	
	- - - - - Of a fat content by weight:	
	- - - - - - Of 80 % or more but less than 82 %	0405 10 30 100
	- - - - - - Of 82 % or more	0405 10 30 300
	- - - - - Other:	
	- - - - - - Of a fat content by weight:	
	- - - - - - - Of 80 % or more but less than 82 %	0405 10 30 500
	- - - - - - - Of 82 % or more	0405 10 30 700
0405 10 50	- - - Whey butter:	
	- - - - In immediate packings of a net content not exceeding 1 kg:	
	- - - - - Of a fat content by weight:	
	- - - - - - Of 80 % or more but less than 82 %	0405 10 50 100
	- - - - - - Of 82 % or more	0405 10 50 300
	- - - - - Other:	
	- - - - - - Of a fat content by weight:	
	- - - - - - - Of 80 % or more but less than 82 %	0405 10 50 500
	- - - - - - - Of 82 % or more	0405 10 50 700
0405 10 90	- - Other	0405 10 90 000
ex 0405 20	- Dairy spreads:	
0405 20 90	- - Of a fat content by weight of more than 75 % but less than 80 %:	
	- - - Of a fat content by weight:	
	- - - - Of more than 75 % but less than 78 %	0405 20 90 500
	- - - - Of 78 % or more	0405 20 90 700
0405 90	- Other:	
0405 90 10	- - Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 000
0405 90 90	- - Other	0405 90 90 000'