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*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: Commission Regulation (EC) No 402/2006 is up to date with all changes known to be in force on or before 02 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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Commission Regulation (EC) No 402/2006 of 8 March 2006  
amending Regulation (EEC) No 2454/93 laying down provisions  
for the implementation of Council Regulation (EEC) No 2913/92  
establishing the Community Customs Code (Text with EEA relevance)

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## ANNEX I

Annex 11 is amended as follows:

- (a) between the entries concerning products classified within CN codes 'ex 7117' and 'ex 8482' the following text is inserted:

ex 8473 30 10 and ex 8473 50 10	Electronic integrated circuits known as dynamic random access memories (DRAMs)	Manufacture where the increase in value acquired as a result of working and processing, and, if applicable, the incorporation of parts originating in the country of manufacture, represents at least 45 % of the ex-works price of the products. When the 45 % rule is not met, the DRAMs originate in the country in which the major portion in value of the materials used originated
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- (b) between the entries concerning products classified within CN codes 'ex 8542' and 'ex 9009' the following text is inserted:

ex 8548 90 10	Electronic integrated circuits known as dynamic random access memories (DRAMs)	Manufacture where the increase in value acquired as a result of working and processing, and, if applicable, the incorporation of parts originating in the country of manufacture, represents at least 45 % of the ex-works price of the products. When the 45 % rule is not met, the DRAMs originate in the country in which the major portion in value of the materials used originated
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## ANNEX II

### ANNEX 38b

#### Procedure referred to in Article 290c(1)

For the purposes of Article 290c, the net weight of each consignment of fresh bananas shall be determined by authorised weighers at any place of unloading in accordance with the following procedure:

1. a sample of units of packed bananas shall be selected for each type of packaging and for each origin. The sample of units of packed bananas to be weighed shall constitute a representative sample of the consignment of fresh bananas. It shall contain at least the quantities indicated below:

<b>Number of units of packed bananas (by type of packaging and origin)</b>	<b>Number of units of packed bananas to be inspected</b>
— up to 400	5
— from 401 to 700	7
— from 701 to 1 000	10
— from 1 001 to 2 000	13
— from 2 001 to 4 000	15
— from 4 001 to 6 000	18
— more than 6 000	21

2. the net weight shall be determined as follows:
  - (a) by weighing each unit of packed bananas to be inspected (gross weight);
  - (b) by opening at least one unit of packed bananas, then calculating the weight of the packaging;
  - (c) the weight of that packaging shall be accepted for all packaging of the same type and origin, and shall be deducted from the weight of all the units of packed bananas weighed;
  - (d) the average net weight per unit of packed bananas thus established for each type and origin, based on the weight of the samples checked, shall be accepted as the basis for determining the net weight of the consignment of fresh bananas;
3. where the customs authority does not check the banana weighing certificates contemporaneously, the net weight declared on such certificates shall be acceptable to customs authorities provided that the difference is not more or less than 1 % between the declared net weight and the average net weight established by customs authorities;
4. the banana weighing certificate shall be presented to the customs office at which the declaration for release for free circulation is submitted. The customs authorities shall apply the results of the sampling shown on the banana weighing certificate to the whole consignment of fresh bananas to which that certificate relates.

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### ANNEX III

The following Annex 38c is inserted:

ANNEX  
38c

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