

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 560 final  
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Brussels, 13 November 1975

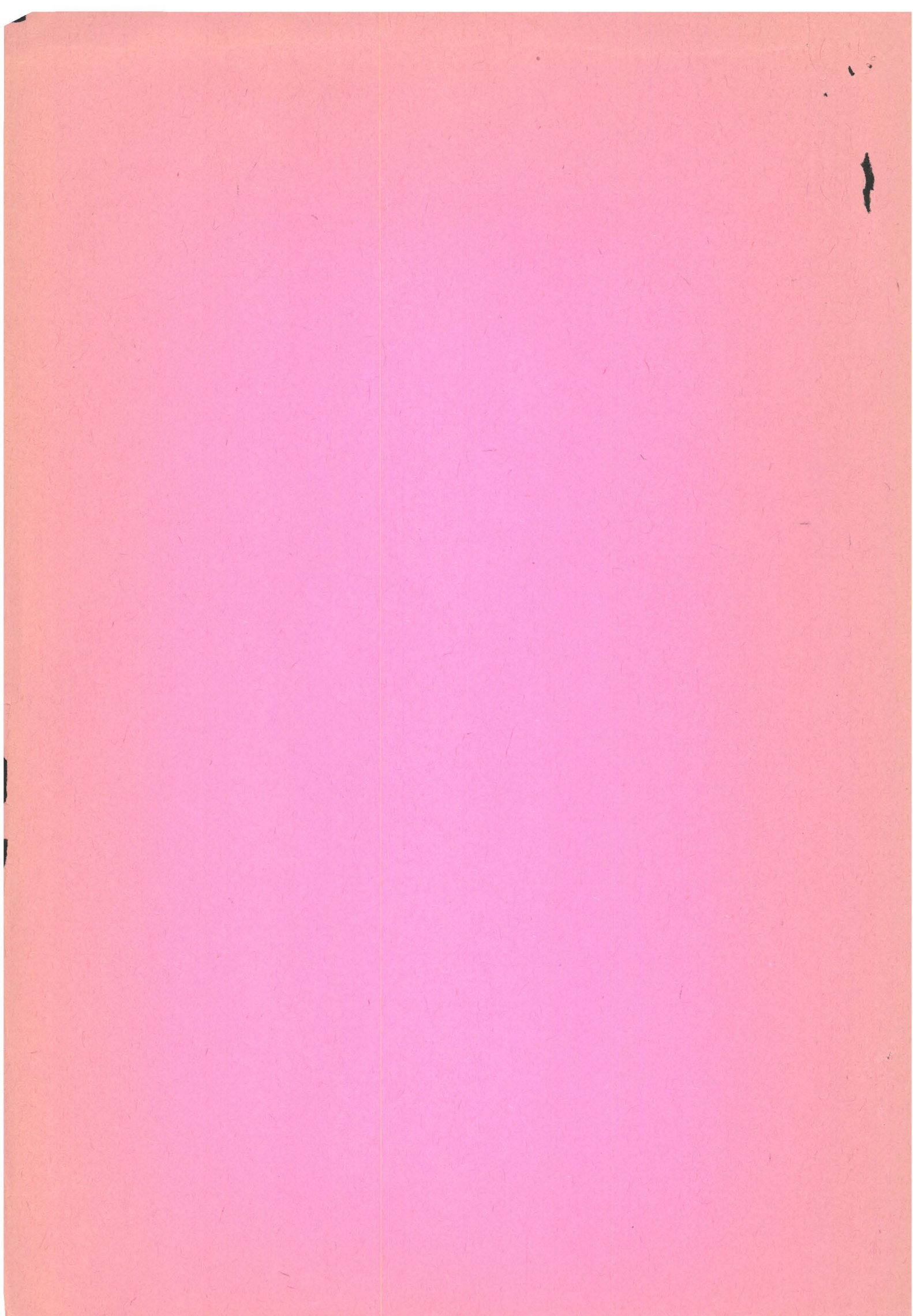
Proposal for a

REGULATION (EEC) OF THE COUNCIL

amending Regulation Nos 120/67/EEC, 950/68/EEC and (EEC) 1052/68 on  
the tariff nomenclature of certain cereal and sugar products

(submitted to the Council by the Commission)

COM(75) 560 final.



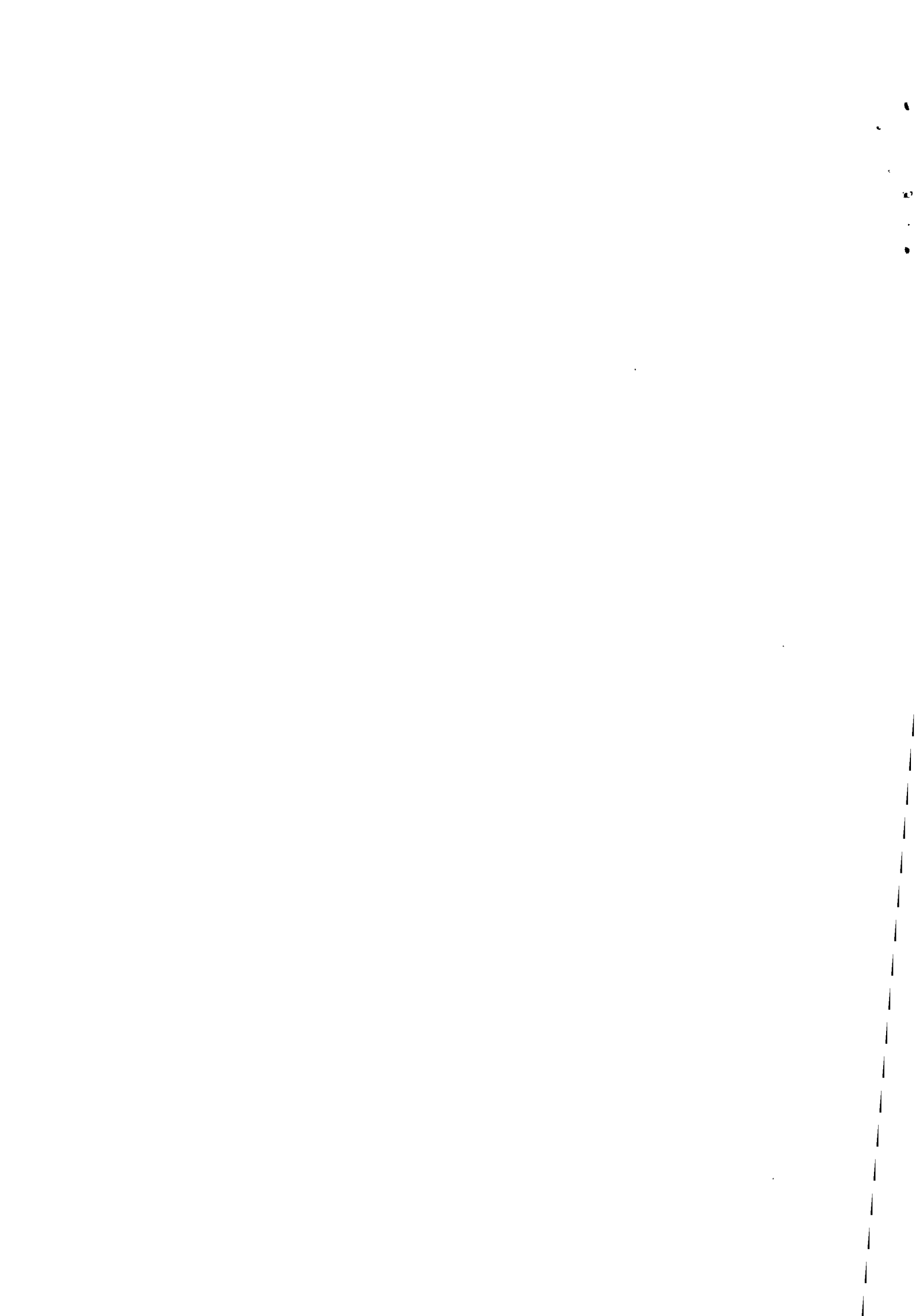
EXPLANATORY MEMORANDUM

This proposal is made within the framework of efforts undertaken by the Commission to simplify the agricultural regulations.

The proposal has the effect of regrouping a number of subheadings covering agricultural products of minor economic importance (denatured sugar and processed products of buckwheat, canary seed, millet and grain sorghum). This necessitates classification of these products in a subheading which also includes other products. In this way 31 subheadings are abolished.

Based on Article 43 of the EEC Treaty, this proposal for a Regulation requires the opinion of the European Parliament.

As a result of the minor economic importance of the products in question the proposal has no effect upon the budget of the Community.



REGULATION (EEC) NO /75 OF THE COUNCIL

amending Regulations Nos 120/67/EEC, 950/68/EEC and (EEC) 1052/68 on the tariff nomenclature of certain cereal and sugar products

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation No 120/67/EEC of 13 June 1967, on the common organization of the market in cereals <sup>1)</sup>, as last amended by Regulation (EEC) No 665/75 <sup>2)</sup>, and in particular Article 14(3) thereof;

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Whereas the tariff headings for certain cereal and sugar products no longer meet the requirements of trade and could for simplification be classified both for trade and competent authorities;

Whereas, consequently, Regulations Nos 120/67/EEC, (EEC) No 590/68 of the Council of 28 June 1968 on the Common Customs Tariff <sup>3)</sup>, as last amended by Regulation (EEC) No <sup>4)</sup> and (EEC) No 1052/68 of the Council of 23 July 1968 on the import and export system for products processed from cereals and from rice <sup>5)</sup>, as last amended by Regulation (EEC) No <sup>6)</sup> should be amended;

HAS ADOPTED THIS REGULATION:

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- 1) OJ No 117 of 19.6.1967, p. 2269/67
  - 2) OJ No L 72 of 20.3.1975, p. 14
  - 3) OJ No L 172 of 22.7.1968, p. 1
  - 4) OJ No
  - 5) OJ No L 179 of 25 July 1968, p. 8
  - 6) OJ No

Article 1

In Annex A of Regulation No 120/67/EEC the entries under Headings "11.01" and "11.02" shall be deleted and replaced by the following:

CCT heading No	Description
ex 11.01	Cereal flours: C. Barley flour D. Oat flour E. Maize flour G. Other
ex 11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled, or kibbled but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground:  ex. A. Cereal groats and cereal meal except wheat and rice groats and meal  B. Hulled grains (shelled or husked) including sliced and kibbled grains  C. Pearled grains  D. Kibbled grains not further prepared.  ex. E. Rolled grains; flaked grains, except flaked rice  ex. F. Pellets, except rice pellets  G. Germ of cereals, whole; rolled, flaked or ground

Article 2

1. In Regulation (EEC) No 1052/68 the words "11.01 C to G" shall be substituted for the words "11.01 C to L" in Article 10(1) first indent.
2. Annex I of this Regulation shall be substituted for the annex to Regulation (EEC) No 1052/68.

Article 3

1. In Regulation (EEC) No 950/68 the following line shall be substituted for the last line of note 2 (A) of chapter 11:
  - in the French version:

"Toutefois, les germes de céréales entiers, aplatis, en flocons ou moulus, relèvent en tout cas du no. 11.02";
  - in the German version:

"Jedoch gehören Getreidekeime, ganz, gequetscht, in Flocken oder gemahlen zu Tarif Nr. 11.02";
  - in the Danish version:

"Kim af korn, hele, valsede, i flager eller formalede hører altid under pos. 11.02";
  - in the Dutch version:

"Graankiemen ook indien geplet, in vlokken of gemalen, vallen in elk geval onder post 11.02";
  - in the Italian version:

"I germi di cereali interi, schiacciati, in fiocchi o macinati sono comunque da classificare nella voce n. 11.02".
2. In Regulation (EEC) No 950/68 the nomenclature set out in Annex II of this Regulation shall be substituted for the nomenclature of the products falling under heading 01.02 A, 11.01, 11.02, 11.06, 11.09, 17.01 and subheading 23.02 A.

Article 4

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

It shall have effect from 1 July 1976.

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

Done at Brussels,

For the Council

The president





ANNEX I

4

CCT heading No	Description	Basic product	Coefficient	Fixed component ua/1000 kg
1	2	3	4	5
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith; A. Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes	Barley	0.18	-
11.01	Cereal flours (1) C. Barley flour D. Oats flour E. Maize flour I. of a fat content not exceeding 1.5% by weight II. other F. Rice flour G. Other	Barley Barley Oats Maize Maize Broken rice Sorghum	1.80 1.80 1.80 1.80 1.02 1.06 1.02	5.00 5.00 5.00 5.00 2.50 2.50 2.50
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground:(1): A. Cereals groats and cereal meal: II. Rye III. Barley IV. Oats V. Maize: a) Of a fat content not exceeding 1.5% by weight: 1. For the brewing industry (a) 2. Other b) Other	Rye Barley Oats Maize Maize Maize	1.80 1.80 1.80 1.80 1.80 1.80 1.02	5.00 5.00 5.00 5.00 5.00 5.00 2.50

(1) To distinguish between products under headings 11.01 and 11.02 and those under heading 23.02 A, shall be considered as falling under headings 11.01 and 11.02 those products having a starch content (determined by the modified Ewers polarimetric method) exceeding 45% in weight of dry matter and an ash content (by weight of dry matter after deducting any mineral substances added) of not more than 1.6% for rice, 2.5% for wheat and rye, 3% for barley, 4% for buckwheat, 5% for oats and 2% for all other cereals.  
Germ of cereals, whole, rolled, flaked or ground fall under heading 11.02 (b).

(a) Inclusion under this sub-heading is subject to conditions to be determined by the competent authorities.

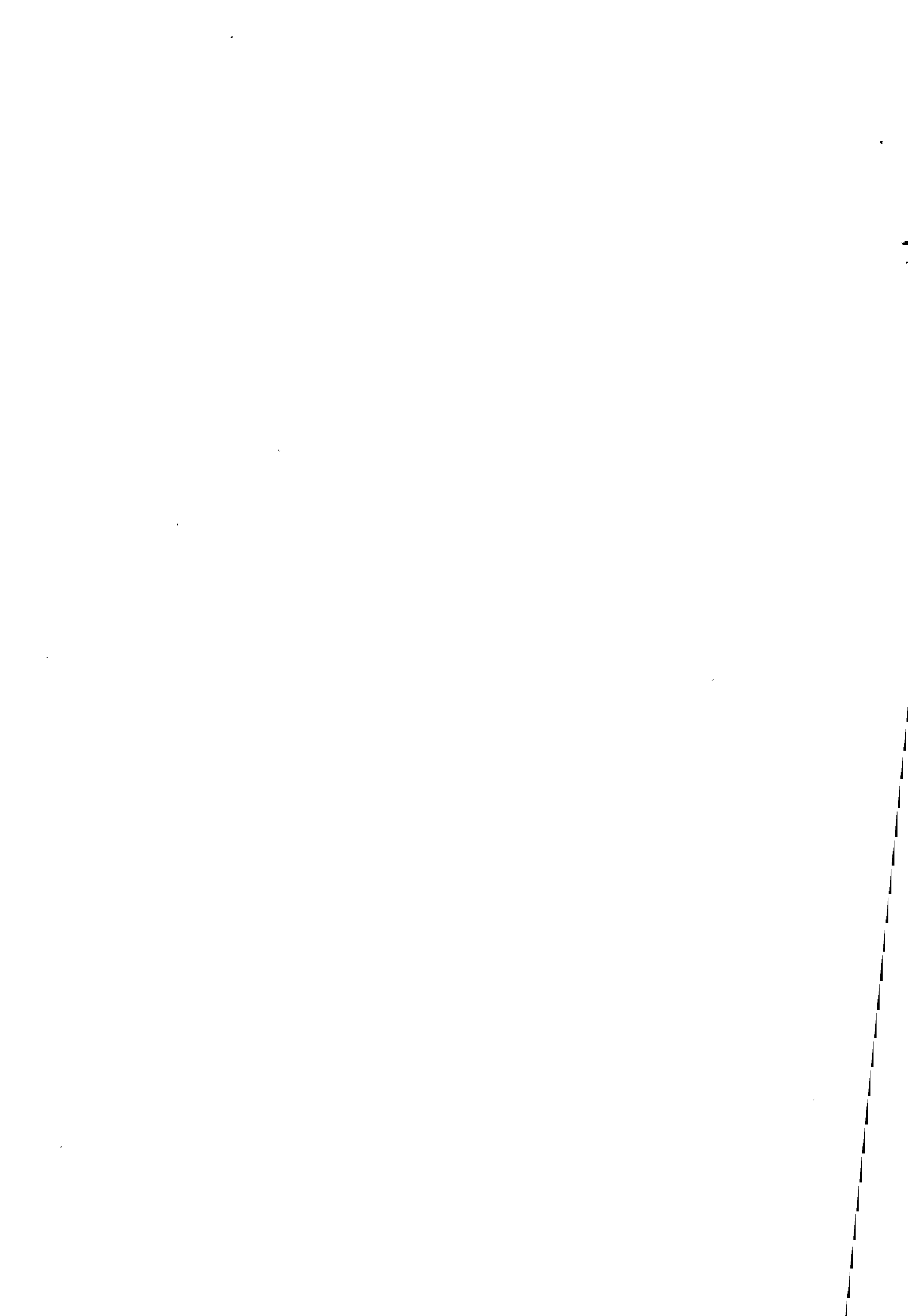
CCT heading No	Description	Basic product	Coefficient	fixed component ua/1000 kg
1	2	3	4	5
11.02 (continued)	VI. Rice	Broken rice	1.06	2.50
	VII. Other	Sorghum	1.02	2.50
	B. Hulled grains (skilled or husked) whether or not sliced or kibbled:			
	I. Barley or oats,			
	a) Hulled (shelled or husked)			
	1. Barley	Barley	1.60	2.50
	2. Oats:			
	aa) chipped oats	Oats	1.02	2.50
	bb) Other	Oats	1.80	2.50
	b) Hulled and sliced or kibbled ('Grütze' or 'grutten'):			
	1. Barley	Barley	1.60	2.50
	2. Oats	Oats	1.80	2.50
	II. Other cereals:			
	a) Wheat	Common wheat	1.33	2.50
	b) Rye	Rye	1.33	2.50
	c) Maize	Maize	1.60	2.50
	d) Other	Sorghum	1.60	2.50
	C. Pearled grains:			
	I. Wheat	Common wheat	1.60	2.50
	II. Rye	Rye	1.60	2.50
	III. Barley	Barley	2.50	0.50
	IV. Oats	Oats	1.60	2.50
	V. Maize	Maize	1.60	2.50
	VI. Other	Sorghum	1.60	2.50
	D. Grains kibbled, but not otherwise worked:			
	I. Wheat	Common wheat	1.02	2.50
	II. Rye	Rye	1.02	2.50
	III. Barley	Barley	1.02	2.50

CCT heading No	Description	Basic product	Coefficient	Fixed component ua/1000 kg
1	2	3	4	5
11.02 continued)	IV. Oats	Oats	1.02	2.50
	V. Maize	Maize	1.02	2.50
	VI. Other	Sorghum	1.02	2.50
	E. Rolled grains; flaked grains:			
	I. Barley or oats:			
	a) Rolled:			
	1. Barley	Barley	1.02	2.50
	2. Oats	Oats	1.02	2.50
	b) Flaked:			
	1. Barley	Barley	2.00	5.00
	2. Oats	Oats	2.00	5.00
	II. Other cereals:			
	a) Wheat			
		Common wheat	1.80	5.00
	b) Rye			
		Rye	1.80	5.00
	c) Maize			
		Maize	1.80	5.00
	d) Other:			
	1. Flaked rice			
		Broken rice	1.80	5.00
	2. Other			
		Sorghum	1.80	5.00
	F. Pellets:			
	I. Wheat			
		Common wheat	1.80	5.00
	II. Rye			
		Rye	1.80	5.00
	III. Barley			
		Barley	1.80	5.00
	IV. Oats			
		Oats	1.80	5.00
	V. Maize			
		Maize	1.80	5.00
	VI. Rice			
		Broken rice	1.06	2.50

CCT heading No	Description	Basic product	Coefficient	Fixed component/1000
1	2	3	4	5
11.02 (continued)	VII. Other G. Germ of cereals, whole, rolled, flaked or ground: I. Wheat II. Other	Sorghum  Soft wheat Maize	1.02  0.75 0.75	2.50  5.00 5.00
11.06	Flours and meal of sago and of manioc, arrow-root, salep and other roots and tubers falling within heading No 07.06: A. Denatured (a) B. Other: I. For the manufacture of starches II. Other	Barley  Maize Maize	0.18  1.61 1.61	2.50  17.00 17.00
11.07	Malt, roasted or not: A. Unroasted: I. Obtained from wheat: a) In the form of flour b) Other II. Other: a) In the form of flour b) Other B. Roasted:	Common wheat  Common wheat Barley Barley Barley	1.78  1.33 1.78 1.33 1.55	9.00  9.00 9.00 9.00 9.00
11.08	Starches; inulin: A. Starches: I. Maize starch II. Rice starch  III. Wheat starch  IV. Potato starch V. Other	Maize Broken rice  Common wheat  Potato Maize	1.61 1.52  2.20  1.61 1.61	17.00 25.50  17.00  17.00 17.00
11.09	Wheat gluten, whether or not dried:	Common wheat	4.00	150.00
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel: B. Glucose and glucose syrup: II. Other: a) Glucose in the form of white crystalline powder, whether or not agglomerated b) Other	Maize Maize	2.10 1.61	80.00 55.00
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion: B. Glucose and glucose syrup: I. Glucose in the form of white crystalline powder, whether or not agglomerated	Maize	2.10	80.00

a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Basic product	Coefficient	Fixed component ua/1000 kg
1	2	3	4	5
17.05 (continued)	II. Other	Maize	1.61	55.00
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables: A. Of cereals: I. Of maize or rice: a) With a starch content not exceeding 35% by weight b) Other: II. Of other cereals: a) Of which the starch content does not exceed 28% by weight, and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10% by weight or of which the sieved product has an ash content, calculated on the dry product, of 1.5% or more by weight b) Other	Common wheat Barley Maize Common wheat Barley Maize  Common wheat Barley Maize  Common wheat Barley Maize	0.10 0.10 0.10 0.32 0.32 0.32  0.08 0.08 0.08  0.32 0.32 0.32	0          0  0
23.03	Beet-pulp, bagasse and other waste of sugar manufacture; brewing and distilling dregs and waste; residues of starch manufacture and similar residues: A. Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product: 1. Exceeding 40% by weight	Maize	2.00	150,00



ANNEX II

GSP heading No	Description	Rate of Duty	
		autonomous % or levy (L)	conventional %
1	2	3	4
01.02	<p>Live animals of the bovine species:</p> <p>A. Domestic species:</p> <p>I. Pure-bred breeding animals (a)</p> <p>III. Other:</p> <p>a) Calves</p> <p>b) Other:</p> <p>1. Not yet having any permanent teeth, of weight of not less than 350 kg but not more than 450 kg in the case of male animals or of not less than 320 kg but not more than 420 kg in the case of female animals (a)</p> <p>2. Other</p>	<p>Free</p> <p>16(b) +(L)(*)</p> <p>16 + (L) (*)</p> <p>16 (d) + (L)(*)</p>	<p>Free</p> <p>-</p> <p>(c)</p> <p>(e) (f)</p>

- (a) Entry under this subheading is subject to conditions to be determined by the competent authorities.
- (b) This rate is reduced to 4% in respect of calves of a weight of less than 80 kg, intended for fattening, subject to certain conditions prescribed by Article 11 (as amended) of Regulation (EEC) No 805/68 of the Council of 17 June 1968.
- (c) The levy shall be established in accordance with the provisions set out in Protocol No 1 appended to the Trade Agreements between the EEC and the Socialist Federal Republic of Yugoslavia.
- (d) This rate is reduced to 8% in respect of young male animals of a weight of not less than 220 kg but not more than 300 kg, intended for fattenings, subject to certain conditions prescribed by Article 11 (as amended) of Regulation (EEC) No 805/68 of the Council of 27 June 1968.
- (e) A rate of 6% is applicable within the limits of an annual tariff quota, to be granted by the competent authorities of the European Communities, of 20 000 heifers and cows (other than for slaughter) of the following mountain breeds; grey, brown, yellow, spotted Simmental and Pinzgau. Qualification for quota is subject to conditions to be determined by the competent authorities of the Member States of destination.
- (f) A rate of 4% is applicable within the limits of an annual tariff quota, to be granted by the competent authorities of the European Communities, of 5 000 bulls, cows and heifers (other than for slaughter) of the following breeds: spotted Simmental, Schwyz and Fribourg. To qualify for the quota, animals of the breeds specified must be covered by the following documents:
- bulls: pedigree certificate;
  - cows: pedigree certificate or herd book entry certificate attesting to the purity of the breed.
- \*) In certain conditions, a levy is applicable in addition to the customs duty.

CCT heading No	Description	Rate of Duty	
		autonomous % or levy (L)	conventional %
11.01	Cereal flours:		
	A. Wheat or meslin flour	30 (a) L	-
	B. Rye flour	8 (L)	-
	C. Barley flour	8 (L)	-
	D. Oat flour	8 (L)	-
	E. Maize flour:		
	I. Of a fat content not exceeding 1.5% by weight	8 (L)	-
	II. Other	8 (L)	-
	F. Rice flour	14 (L)	-
	G. Other	8 (L)	-
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice, germ of cereals, whole, rolled, flaked or ground:		
	A. Cereal groats and cereal meal:		
	I. Wheat:		
	a) Durum wheat	30 (L)	-
	b) Common wheat	30 (L)	-
	II. Rye	25 (L)	-
	III. Barley	23 (L)	-
	IV. Oats	23 (L)	-
	V. Maize:		
	a) Of a fat content not exceeding 1.5% by weight:		
	1. For the brewing industry (b)	23 (L)	-
	2. Other	23 (L)	-
	b) Other	23 (L)	-
	VI. Rice	23 (L)	-
	VII. Other	23 (L)	-
	B. Hulled grains (shelled or husked), whether or not sliced or kibbled:		
	I. Barley or oats		
	a) Hulled (shelled or husked):		

(a) The autonomous duty for flour of meslin (mixed wheat and rye) is 13%.

(b) Entry under this subheading is subject to conditions to be determined by the competent authorities.



S CCT Heading No	Description	Rate of Duty	
		autonomous % or levy (L)	conventional %
11.02 (continued)	1. Barley	23 (L)	-
	2. Oats:		
	aa) Clipped oats	23 (L)	-
	bb) Other	23 (L)	-
	b) Hulled and sliced or kibbled ('Grütze' or 'Grutten'):		
	1. Barley	23 (L)	-
	2. Oats	23 (L)	-
	II. Other cereals:		
	a) Wheat	30 (L)	-
	b) Rye	25 (L)	-
	c) Maize	23 (L)	-
	d) Other	23 (L)	-
	C. Pearled grains:		
	I. Wheat	30 (L)	-
	II. Rye	25 (L)	-
	III. Barley	23 (L)	-
	IV. Oats	23 (L)	-
	V. Maize	23 (L)	-
	VI. Other	23 (L)	-
	D. Grains kibbled but not otherwise worked:		
	I. Wheat	30 (L)	-
	II. Rye	25 (L)	-
	III. Barley	23 (L)	-
	IV. Oats	23 (L)	-
	V. Maize	23 (L)	-
	VI. Other	23 (L)	-
	E. Rolled grains; flaked grains:		
	I. Barley or oats:		
	a) Rolled:		
	1. Barley	23 (L)	-
	2. Oats	23 (L)	-
	b) Flaked:		
	1. Barley	28 (L)	-
	2. Oats	28 (L)	-
	II. Other cereals:		
	a) Wheat	30 (L)	-
	b) Rye	25 (L)	-
	c) Maize	23 (L)	-
	d) Other:		
	1. Flaked rice	23 (L)	-
	2. Other	23 (L)	-

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CCT heading No	Description	Rate of Duty		
		autonomous % or levy (L)	conventional %	
11.02 (continued)	F. Pellets:			
	I. Wheat	30 (L)	-	
	II. Rye	25 (L)	-	
	III. Barley	23 (L)	-	
	IV. Oats	23 (L)	-	
	V. Maize	23 (L)	-	
	VI. Rice	23 (L)	-	
	VII. Other	23 (L)	-	
	G. Germ of cereals, whole, rolled, flaked or ground:			
	I. Wheat	30 (L)	-	
	II. Other	30 (L)	-	
	11.06	Flours and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06:		
		A. Denatured (a)	28 (L)	-
		B. Other	28 (L)	-
I. For the manufacture of starches (a)		28 (L)	-	
II. Other		28 (L)	-	

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of Duty	
		autonomous % or levy (L)	conventional %
11.09	Wheat gluten, whether or not dried:	27 (L)	-
17.01	Beet sugar and cane sugar, solid:		
	A. White sugar	80 (L)	-
	B. Raw sugar	80 (L)	-
	I. For refining (a)	80 (L)	-
	II. Other	80 (L)	-
23.02	Bran, sharps and other residues derived from sifting, milling or working of cereals or of leguminous vegetables:		
	A. Of cereals:		
	I. Of maize or rice:		
	a) With a starch content not exceeding 35% by weight	21 (L)	-
	b) Other	21 (L)	-
	II. Of other cereals:		
	a) Of which the starch content does not exceed 28% by weight, and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10% by weight or of which the sieved product has an ash content, calculated on the dry product of 1.5% or more by weight	21 (L)	-
	b) Other	21 (L)	-
	B. Of leguminous vegetables	8	-

a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

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