

COMMISSION REGULATION (EC) No 549/94

of 11 March 1994

adjusting the codes of certain products listed in Council Regulation (EEC) No 426/86 on the common organization of the market in products processed from fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 234/79 of 5 February 1979 on the procedure for adjusting the Common Customs Tariff nomenclature used for agricultural products⁽¹⁾, as amended by Regulation (EEC) No 3209/89⁽²⁾ and in particular Article 2 (1) thereof,

Whereas Article 1 (1) of Council Regulation (EEC) No 426/86⁽³⁾, as last amended by Commission Regulation (EC) No 248/94⁽⁴⁾, covers a number of products including the products listed under heading 2008;

Whereas Commission Regulation (EEC) No 2505/92 of 14 July 1992 amending Annexes I and II to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽⁵⁾ lists preparations of the Müsli type based on unroasted cereal flakes, which were previously classified under heading 2106, under the new CN code 2008 92 45;

Whereas the exclusion of this product from the common organization of the market in products processed from fruit and vegetables must therefore be made explicit in Article 1 (1) of Regulation (EEC) No 426/86, with application from the date of entry into force of Regulation (EEC) No 2505/92;

Whereas Commission Regulation (EEC) No 2551/93 of 10 August 1993 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature

and on the Common Customs Tariff⁽⁶⁾ contains the combined nomenclature currently in force;

Whereas certain codes listed in the Annexes to Regulation (EEC) No 426/86 no longer correspond to those of the current combined nomenclature; whereas those Annexes must therefore be adapted, with application from the date of entry into force of Regulation (EEC) No 2551/93;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 426/86 is hereby amended as follows:

1. In Article 1 (1), under CN code ex 2008, the indent '— Preparations of the Müsli type of subheading 2008 92 45' is added after the indent '— Palm hearts of subheading 2008 91 00';
2. In Annex I, part A,
 - (a) code ex 2002 90 10 designating tomato juice (including passata) is replaced by codes ex 2002 90 11 and ex 2002 90 19;
 - (b) codes ex 2002 90 30 and ex 2002 90 90 designating tomato concentrates are replaced by codes ex 2002 90 31, ex 2002 90 39, ex 2002 90 91 and ex 2002 90 99;

3. In Annex III, the line

'2007 99 59	— — — — Other	10	13'
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is replaced by

'2007 99 55	— — — — Apple purée, including compotes	10	13
2007 99 58	— — — — Other	10	13';

⁽¹⁾ OJ No L 34, 9. 2. 1979, p. 2.

⁽²⁾ OJ No L 312, 27. 10. 1989, p. 5.

⁽³⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽⁴⁾ OJ No L 31, 4. 2. 1994, p. 3.

⁽⁵⁾ OJ No L 267, 14. 9. 1992, p. 1.

⁽⁶⁾ OJ No L 241, 27. 9. 1993, p. 1.

4. In Annex IV,

- (a) codes ex 2007 99 59 and ex 2007 99 90 are replaced by codes ex 2007 99 58 and ex 2007 99 99 respectively ;
- (b) codes ex 2009 80 80 and ex 2009 80 99 are replaced by codes ex 2009 80 81 and ex 2009 80 96 respectively.

Article 2

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

Article 1 (1) shall apply from 1 January 1993.

Article 1 (2), (3) and (4) shall apply from 1 January 1994.

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

Done at Brussels, 11 March 1994.

For the Commission

René STEICHEN

Member of the Commission
