

**COMMISSION IMPLEMENTING REGULATION (EU) No 197/2013****of 7 March 2013****amending Implementing Regulation (EU) No 80/2012 establishing the list of biological or chemical substances provided for in Article 53(1)(b) of Council Regulation (EC) No 1186/2009 setting up a Community system of reliefs from custom duty**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1186/2009 of 16 November 2009 setting up a Community system of reliefs from customs duty <sup>(1)</sup>, and in particular Article 53(1)(b) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 80/2012 <sup>(2)</sup> sets out the list of biological or chemical substances provided for in Article 53(1)(b) of Regulation (EC) No 1186/2009.
- (2) Implementing Regulation (EU) No 80/2012 should be amended in order to include in the list two substances for which there is at present no equivalent production within the customs territory of the Union.
- (3) Moreover, it is no longer necessary to maintain in the list a substance which is currently listed in Annex 3 to Part

Three of Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff <sup>(3)</sup> concerning the pharmaceutical substances which are free of duty.

- (4) Implementing Regulation (EU) No 80/2012 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Implementing Regulation (EU) No 80/2012 is amended in accordance with the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 7 March 2013.

*For the Commission*  
*The President*

José Manuel BARROSO

<sup>(1)</sup> OJ L 324, 10.12.2009, p. 23.<sup>(2)</sup> OJ L 29, 1.2.2012, p. 33.<sup>(3)</sup> OJ L 256, 7.9.1987, p. 1.

## ANNEX

Annex I to Implementing Regulation (EU) No 80/2012 is amended as follows:

- (1) the following row is inserted after the row containing the CN code ex 2845 90 90 for (Oxygen-18) Water:

	'ex 2849 90 90	Titanium silicon carbide powder of a purity by weight of 99 % or more'
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- (2) the following row is inserted after the row containing the CN code ex 2926 90 95 for 2-Naphtonitrile:

	'ex 2934 99 90	Morpholino phosphorodiamidate oligomers (morpholino oligonucleotides)'
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- (3) the following row is deleted:

'0014364-6	ex 2923 90 00	Decamethonium bromide (INN)'
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