

COMMISSION REGULATION (EC) No 1154/2005**of 18 July 2005****amending the codes and descriptions of certain products listed in Annex I to Council Regulation (EC) No 1784/2003 on the common organisation of the market in cereals**

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⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) 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 ⁽²⁾ contains the combined nomenclature currently in force.
- (2) In accordance with the outcome of the negotiations with the United States of America concluded in 1995, certain blends of residues from the manufacture of starch from maize with certain other types of residue, in particular screenings from maize and residues of maize steep-water used for the manufacture of alcohol or of other starch derived products imported into the Community were exempted from customs duty. Council Regulation (EC) No 344/96 ⁽³⁾ consequently incorporated into the Combined Nomenclature a subheading 2309 90 20 to classify this product separately.
- (3) As the result of an omission, Annex I to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽⁴⁾ was not adapted accordingly. This adaptation must therefore be made, with effect from the date of application of Regulation (EC) No 1784/2003, by incorporating code CN 2309 90 20 into the list of products included in Annex I to that Regulation.
- (4) Regulation (EC) No 1784/2003 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1784/2003 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 2004.

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

Done at Brussels, 18 July 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 34, 9.2.1979, p. 2. Regulation as last amended by Regulation (EC) No 3290/94 (OJ L 349, 31.12.1994, p. 105).

⁽²⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 493/2005 (OJ L 82, 31.3.2005, p. 1).

⁽³⁾ OJ L 49, 28.2.1996, p. 1.

⁽⁴⁾ OJ L 270, 21.10.2003, p. 78.

ANNEX

ANNEX I

The products referred to in Article 1(d)

CN code	Description
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith
ex 1102	Cereal flours other than of wheat or meslin:
1102 20	– Maize (corn) flour
1102 90	– Other:
1102 90 10	– – Barley flour
1102 90 30	– – Oat flour
1102 90 90	– – Other
ex 1103	Cereal groats, meal and pellets with the exception of groats and meal of wheat (subheading 1103 11), groats and meal of rice (subheading 1103 19 50) and pellets of rice (subheading 1103 20 50)
ex 1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading 1006 and flaked rice of subheading 1104 19 91; germ of cereals, whole, rolled, flaked or ground
1106 20	Flour, meal and powder of sago, or of roots or tubers of heading 0714
ex 1108	Starches; inulin:
	– Starches:
1108 11 00	– – Wheat starch
1108 12 00	– – Maize (corn) starch
1108 13 00	– – Potato starch
1108 14 00	– – Manioc (cassava) starch
ex 1108 19	– – Other starches:
1108 19 90	– – – Other
1109 00 00	Wheat gluten, whether or not dried
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:
ex 1702 30	– Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose:
	– – Other:
	– – – Other:
1702 30 91	– – – – In the form of white crystalline powder, whether or not agglomerated
1702 30 99	– – – – Other:
ex 1702 40	– Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose, excluding invert sugar:
1702 40 90	– – Other
ex 1702 90	– Other, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 % by weight of fructose:
1702 90 50	– – Maltodextrine and maltodextrine syrup
	– – Caramel:
	– – – Other:

1702 90 75	----- In the form of powder, whether or not agglomerated
1702 90 79	----- Other
2106	Food preparations not elsewhere specified or included:
ex 2106 90	- Other
	-- Flavoured or coloured sugar syrups:
	--- Other
2106 90 55	----- Glucose syrup and maltodextrine syrup
ex 2302	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals
ex 2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets:
2303 10	- Residues of starch manufacture and similar residues
2303 30 00	- Brewing or distilling dregs and waste
ex 2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetables fats or oils, other than those of headings 2304 and 2305:
2306 70 00	- Of maize (corn) germ
ex 2308	Vegetable materials and vegetable waste, vegetable residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included:
2308 00 40	- Acorns and horse-chestnuts; pomace or marc of fruit, other than grapes
2309	Preparations of a kind used in animal feeding:
ex 2309 10	- Dog or cat food, put up for retail sale:
2309 10 11	-- Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within
2309 10 13	subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk
2309 10 31	products ⁽¹⁾ except preparations and feedingstuffs containing 50 % or more by weight of milk
2309 10 33	products
2309 10 51	
2309 10 53	
ex 2309 90	- Other:
2309 90 20	-- Products referred to in additional note 5 to Chapter 23 of the Combined Nomenclature
	-- Other, including premixes:
2309 90 31	--- Other, containing starch, glucose, glucose syrup, maltodextrine syrup falling within
2309 90 33	subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55, or milk
2309 90 41	products ⁽¹⁾ , excluding preparations and feedingstuffs containing 50 % or more by weight of
2309 90 43	milk products
2309 90 51	
2309 90 53	

⁽¹⁾ For the purposes of this subheading "milk products" means products falling within headings 0401 to 0406 as well as subheadings 1702 11, 1702 19 and 2106 90 51.'