COMMISSION REGULATION (EEC) No 419/77

of 28 February 1977

amending Regulation (EEC) No 1061/69 as regards the methods of analysis for starch and for sorbitol

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff (1), and in particular Article 3 thereof,

Whereas the method of analysis for starch referred to in the first subparagraph of Article 1 (2) of Commission Regulation (EEC) No 1061/69 of 6 June 1969 specifying methods of analysis for the implementation of Regulation (EEC) No 1059/69 on the trade arrangements applicable to certain goods resulting from the processing of agricultural products (2), as last amended by Regulation (EEC) No 924/74 (3), is set out in the Annex to Commission Regulation No 228/67/EEC;

Whereas Chapter 1 of Annex I to third Commission Directive 72/199/EEC of 27 April 1972 establishing Community methods of analysis for the official control of feedingstuffs (4) has generally introduced an improved method of analysis; whereas for reasons of clarity it is necessary to specify also in Regulation (EEC) No 1061/69 that this improved method should be used;

Whereas moreover Regulation (EEC) No 1061/69 shows sorbitol only under subheading 29.04 C III of the Common Customs Tariff;

Whereas Council Regulation (EEC) No 3058/75 of 24 November 1975 amending Regulations (EEC) No 1059/69, (EEC) No 1060/69, (EEC) No 2682/72, (EEC) No 2727/75, (EEC) No 3330/74, (EEC) No 765/68 and (EEC) No 950/68 as regards the classification in the Common Customs Tariff of certain types of sorbitol (5), as provided that those varieties of sorbital which contain more than 20 % by weight in proportion to their dry matter of other substances such as oligosaccharides, be classified under subheading 38.19 T of the Common Customs Tariff;

Whereas corresponding amendments should be made to Regulation (EEC) No 1061/69;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on the Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1061/69 is hereby amended as follows:

1. The first subparagraph of Article 1 (2) shall read:

   'The starch content by weight of goods shall be ascertained by the modified Ewers polarimetric method as set out in Chapter 1 of Annex I to third Commission Directive 72/199/EEC of 27 April 1972 establishing Community methods of analysis for the official control of feedingstuffs (4)'.

2. In Article 4 and in the title and the first paragraph of Annex IV, for 'subheading 29.04 C III' read 'subheadings 29.04 C III and 38.19 T'.

Article 2

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

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

Done at Brussels, 28 February 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

(1) OJ No L 14, 21. 1. 1969, p. 1.
(2) OJ No L 141, 12. 6. 1969, p. 24.
(3) OJ No L 111, 24. 4. 1974, p. 3.
(4) OJ No L 123, 29. 5. 1972, p. 6.
(5) OJ No L 306, 26. 11. 1975, p. 3.