COMMISSION OF THE EUROPEAN COMMUNITIES

COM(91) 465 final

Brussels, 22 November 1991

Proposal for a

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2658/87
on the tariff and statistical nomenclature
and on the Common Customs Tariff

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Customs Cooperation Council has recommended that the contracting parties to the Convention should amend the nomenclature of the Harmonized System.

These amendments have an effect on the schedule of community tariff concessions under the GATT.

The revised schedule of concessions based on the Harmonized System which resulted from negotiations conducted pursuant to Article XXVIII of the GATT should be made as neutral as possible. It is for this reason that in some cases the commission proposes reducing customs duties in order to avoid economically unjustified tariff adjustments.

It none the less seems necessary to transpose into the tariff the transfer of lactoserum protein concentrates from the present CN code 3504 00 00 to the new subheading 3502 90 without changing the rate of duty applied to them.

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amending Regulation (EEC) No 2658/87
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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 113 thereof,

Having regard to the Customs Cooperation Council's recommendation of 5 July 1989 recommending certain amendments to the nomenclature of the Harmonized Commodity Description and Coding system,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 2658/87,[1] as last amended by Regulation (EEC) No .../..,[2] established on the basis of the Harmonized System a goods nomenclature known as the Combined Nomenclature;

Whereas the Customs Cooperation Council has recommended that the nomenclature of the Harmonized Commodity Description and Coding System should be amended;

Whereas the revised schedule of tariff concessions based on the Harmonized System which resulted from negotiations conducted pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) should be made as neutral as possible;

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1 OJ No L 256, 7.9.1987, p.1.
2 OJ No L

Whereas it has been decided to transfer lactoserum protein concentrates from their current classification under HS code 3504 00 to HS code 3502 90; whereas the Combined Nomenclature should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Combined Nomenclature attached to Regulation (EEC) No 2658/87 is hereby amended in accordance with the Annex.

2. The amendments to Combined Nomenclature subheadings provided for in this Regulation shall be applied as Taric subdivisions until their insertion in the Combined Nomenclature under the conditions laid down in Article 12 of Regulation (EEC) No 2658/87.

Article 2

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

It shall apply from 1 January 1992.

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

Done at Brussels,

For the Council

The President

ANNEX

CN code	Description	Rate of duty		Supplementary unit
		autonomous (%)	conventional (%)	
1	2	3	4	5
3502				
3502 10 to 3502 10 99	(unchanged)			
3502 90	- other:			
3502 90 10 to 3502 90 70	(unchanged)			
3502 90 80	- lactoserum protein concentrates	12	5.3	--
3502 90 90	(unchanged)			

Taric code for 1992: 3502 90 80 * 00

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