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Explanatory notes to the Combined Nomenclature of the European Union

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Pursuant to Article 9(1), point (a), of Council Regulation (EEC) No 2658/87 ([1]), the Explanatory notes to the Combined Nomenclature of the European Union ([2]) are amended as follows:

*on page 108, in the Explanatory note to CN heading '**2309 Preparations of a kind used in animal feeding**', the fourth and fifth paragraphs of the existing text are replaced by the following text:*

'As regards starch, glucose and maltodextrin, the following applies:

— Where it is not evident whether any starch is present, a qualitative microscopic method or a qualitative colouration test with iodine solution may be used to verify the presence of starch.

— For the determination of starch, glucose and maltodextrin content, the amount of total glucose is measured. Total glucose is defined as the sum of all glucose in a sample, including both free glucose originally present and glucose generated by the enzymatic hydrolysis of starch or maltodextrin in the sample, expressed as glucose. Total glucose determination shall be conducted using a modified version of the enzymatic analytical method specified in the Annex to Commission Regulation (EC) No 121/2008 (OJ L 37, 12.2.2008, p. 3). The modification consists of omitting the 40 % ethanol washing step during sample preparation and calculating only the High-Performance Liquid Chromatography (HPLC) results for glucose content (% by weight, see the Annex to Commission Regulation (EC) No 121/2008 (OJ L 37, 12.2.2008, p. 3, point 7.1), which represents total glucose as defined above.

Products with a total glucose content lower than 0,5 % by weight should not be considered as containing starch, glucose or maltodextrin.

— Where the total glucose content is more than 9 % by weight, or where it is known that the sample contains 10 % by weight or more of starch, the actual starch content is determined using the polarimetric method (also called the modified Ewers method) laid down in Annex III, part K, to Commission Regulation (EC) No 152/2009 (OJ L 54, 26.2.2009, p. 1).

Where the polarimetric method is not applicable, e. g. due to presence in significant amounts of materials such as those listed hereafter, the enzymatic analytical method for the determination of the starch content laid down in the Annex to Commission Regulation (EC) No 121/2008 (OJ L 37, 12.2.2008, p. 3) is to be applied.

The following specific materials are known to give rise to interferences by applying the polarimetric method:

(a) (sugar) beet products such as (sugar) beet pulp, (sugar) beet molasses, (sugar) beet pulp-molassed, (sugar) beet vinasse, (beet) sugar;

(b) citrus pulp;

(c) linseed; linseed expeller; linseed extracted;

(d) rape seed; rape seed expeller; rape seed extracted; rape-seed hulls;

(e) sunflower seed; sunflower seed extracted; sunflower seed, partially decorticated, extracted;

(f) copra expeller; copra extracted;

(g) potato pulp;

([1]) Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1, ELI: http://data.europa.eu/eli/reg/1987/2658/oj).

([2]) OJ C 119, 29.3.2019, p. 1.

(h) dehydrated yeast;

(i) products rich in inulin (for example, chips and meal of Jerusalem artichokes);

(j) greaves;

(k) soyabean products.’