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COM (83) 744

Vol. 1983/0263

Historical Archives of the European Commission

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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 744 final

Brussels, 14 December 1983



Proposal for a
COUNCIL REGULATION (EEC)
on the classification of goods under subheading 07.01 H
of the Common Customs Tariff

(submitted to the Council by the Commission)

COM(83) 744 final

EXPLANATORY MEMORANDUM

1. It is proposed that the Council should adopt, on the basis of Article 3 paragraph 3 b) of Regulation (EEC) No 97/69, a proposal for a regulation on the classification of goods under subheading 07.01 H of the Common Customs Tariff.
2. The approval of this regulation by the Council is necessary in order to ensure the correct and uniform application of the Nomenclature of the Common Customs Tariff with regard to the bulbs of "muscari comosum" (wild onions).
3. Lacking the approval of the Nomenclature Committee of the CCT, the Commission has been unable to adopt the proposed measure.

Proposal for a
COUNCIL REGULATION (EEC)
on the classification of goods under subheading 07.01 H
of the Common Customs Tariff

THE COUNCIL 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), as last amended by the Act of Accession of Greece, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas in order to ensure uniform application of the nomenclature of the Common Customs Tariff, provisions must be laid down concerning the tariff classification of fresh bulbs of the family Liliaceae, belonging to the genus "Muscari", species "Comosum" (common names: "lampasciuolo", "wild onions", "lilas de terre", "feather hyacinth"), sometimes used in floriculture as well as for food;

Whereas heading 07.01 of the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68 (2), as last amended by Regulation (EEC) No (3), refers to vegetables, fresh or chilled;

Whereas the product in question, though sometimes used in floriculture, has the characteristics of goods falling within heading 07.01; whereas, within this heading, subheading 07.01 H must be chosen;

Whereas since the Committee on Common Customs Tariff Nomenclature has not given its assent, the Commission is unable to adopt the provisions it had envisaged under the procedure provided for in Article 3 of Regulation (EEC) No 97/69,

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(1) OJ No L 14, 21.1.1969, p. 1.

(2) OJ No L 172, 22.7.1968, p. 1.

(3) OJ No L

HAS ADOPTED THIS REGULATION:

Article 1

Fresh bulbs of the family Liliaceae belonging to the genus "Muscari", species "Comosum" (common names "lampasciuolo", "wild onions", "lilas de terre, "feather hyacinth"), shall be classified in the Common Customs Tariff under subheading:

07.01 Vegetables, fresh or chilled:
H. Onions, shallots and garlic.

Article 2

This Regulation shall enter into force on the twenty-first day 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,

For the Council

The President