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⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 858/2014**of 4 August 2014****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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

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

Done at Brussels, 4 August 2014.

*For the Commission,
On behalf of the President,
Martine REICHERTS
Member of the Commission*

ANNEX

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
An article (so-called manual knife sharpener) with measurements of approximately 27 × 14 × 19 cm, consisting of a handle and a support containing a two-stage (sharpening and polishing) grinding system with micron size diamond abrasives. See image (*)	8205 51 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8205 and 8205 51 00. Given its objective characteristics, the article is intended for domestic use for manually sharpening knives and other blades. Even if the article is designed to be put on a flat surface to operate, it can, however, only be fully operational if held by hand. Consequently, classification as hand tools of heading 8205 is justified. The article is therefore to be classified under CN code 8205 51 00 as household tools.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 859/2014
of 5 August 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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

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

Done at Brussels, 5 August 2014.

*For the Commission,
On behalf of the President,
Martine REICHERTS
Member of the Commission*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
Article consisting of a calendar of the perpetual type and a statuette of plastic in the form of an angel. The angel is sitting on a pedestal of plastics. The calendar is inserted in the pedestal and consists of wooden blocks and plates with the names of the months and the numbers of the days printed on them. The article is approximately 16 cm high. The statuette accounts for half of its height but is less in volume than the calendar-part of the article. See image (*)	4910 00 00	Classification is determined by general rules 1 and 3(b) for the interpretation of the Combined Nomenclature (GIR) and the wording of CN code 4910 00 00. According to the objective characteristics of the article, such as the size and the prominence of the calendar component compared to that of the decorative component, it is the calendar component that gives the article its essential character within the meaning of GIR 3(b) (see also the Harmonized System Explanatory Notes (HSEN) to heading 4910, fourth paragraph). Moreover, heading 4910 covers calendars of any kind printed on any material (see also the HSEN to heading 4910, first paragraph). The article should therefore be classified under CN code 4910 00 00 as calendars of any kind.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 860/2014
of 5 August 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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

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

Done at Brussels, 5 August 2014.

*For the Commission,
On behalf of the President,
Martine REICHERTS
Member of the Commission*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A product consisting of a luminous disc (so-called 'luminous frisbee') and a hand-operated launch system with retractable string, made of plastics. The disc contains battery powered LEDs. The luminous disc is to be released in the air by tugging the string. It may be propelled up to a distance of 20 m before landing on the ground. It is presented for use as a flying propeller toy. See image (*)	9503 00 95	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9503 and 9503 00 95. It follows from the objective characteristics of the product that it is intended to be used as a flying propeller toy and not as an outdoor game article or equipment associated with the exertion of a physical activity. It is not comparable to a 'frisbee', within the meaning of the Explanatory notes to the Combined Nomenclature, subheading 9506 99 90, that is used in throwing and catching games. Classification under heading 9506 as articles or equipment for outdoor games is therefore excluded. The product is therefore to be classified under CN code 9503 00 95 as other toys of plastics.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 861/2014**of 5 August 2014****amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) Council Regulation (EU) No 1326/2013 ⁽²⁾ amended Annex I to Regulation (EEC) No 2658/87 and replaced CN codes 9619 00 to 9619 00 90 by CN codes 9619 00 to 9619 00 89.
- (2) CN codes 9619 00 71 to 9619 00 89 cover sanitary towels (pads) and tampons, napkins and napkin liners for babies, and similar articles, of other materials than of textile materials. The articles of those CN codes can, for example, be made of paper pulp, paper, cellulose wadding or webs of cellulose fibres. They can also be made of combinations of those materials.
- (3) Due to divergent views on the classification of articles falling under CN subheadings 9619 00 71 to 9619 00 89 and in order to facilitate such classification throughout the territory of the Union, it is necessary to further clarify the scope of those new subheadings.
- (4) In the interest of legal certainty, it is thus necessary to insert a new additional note in Chapter 96 of the Combined Nomenclature to ensure a uniform interpretation of those subheadings throughout the Union.
- (5) Annex I to Regulation (EEC) No 2658/87 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

In Chapter 96 of Part Two of the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87, the following Additional note 1 is inserted:

‘1. Subheadings 9619 00 71 to 9619 00 89 include goods of paper pulp, paper, cellulose wadding or webs of cellulose fibres.

Those subheadings also include composite goods consisting of the following:

- (a) an inner layer (for example, of nonwovens) designed to wick fluid from the wearer’s skin and thereby prevent chafing;

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EU) No 1326/2013 of 9 December 2013 amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 334, 13.12.2013, p. 4).

- (b) an absorbent core for collecting and storing the fluid until the product can be disposed of;
- (c) an outer layer (for example, of plastics) to prevent leakage of the fluid from the absorbent core.’.

Article 2

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

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

Done at Brussels, 5 August 2014.

*For the Commission,
On behalf of the President,
Martine REICHERTS
Member of the Commission*

COMMISSION IMPLEMENTING REGULATION (EU) No 862/2014**of 7 August 2014****amending Implementing Regulation (EU) No 496/2011 as regards the name of the holder of the authorisation of the feed additive sodium benzoate****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾ and in particular Article 13(3) thereof,

Whereas:

- (1) Taminco BVBA has submitted an application in accordance with Article 13(3) of Regulation (EC) No 1831/2003 proposing to change the name of the holder of the authorisation as set out in Commission Implementing Regulation (EU) No 496/2011 ⁽²⁾.
- (2) The applicant claims that, with effect from 6 March 2014, it has acquired the feed additive business from Kemira Oyj, and that it now owns the marketing rights for the feed additive sodium benzoate. The applicant has submitted documents supporting its allegations.
- (3) The proposed change of the terms of the authorisation is purely administrative in nature and does not entail a fresh assessment of the additive concerned. The European Food Safety Authority was informed of the application.
- (4) In order to allow the applicant to exploit its marketing rights under the name of Taminco Finland Oy, it is necessary to change the terms of the authorisations.
- (5) Regulation (EU) No 496/2011 should therefore be amended accordingly.
- (6) Since the modification to the conditions of authorisation is not related to safety reasons, it is appropriate to provide for a transitional period during which existing stocks may be used up.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment to Implementing Regulation (EU) No 496/2011**

In the second column of the Annex, the words 'Kemira Oyj' are replaced by 'Taminco Finland Oy'.

*Article 2***Transitional measures**

Existing stocks of the additive which have been produced and labelled before 28 August 2014 in accordance with the rules applicable before 28 August 2014 may continue to be placed on the market and used until they are exhausted.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Commission Implementing Regulation (EU) No 496/2011 of 20 May 2011 concerning the authorisation of sodium benzoate as a feed additive for weaned piglets (holder of the authorisation Kemira Oyj) (OJ L 134, 21.5.2011, p. 9).

*Article 3***Entry into force**

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 7 August 2014.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 863/2014**of 7 August 2014****amending Regulations (EC) No 1730/2006 and (EC) No 1138/2007 as regards the name of the holder of the authorisation of the feed additive benzoic acid (VevoVitall)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾ and in particular Article 13(3) thereof,

Whereas:

- (1) Emerald Kalama Chemical BV has submitted an application in accordance with Article 13(3) of Regulation (EC) No 1831/2003 proposing to change the name of the holder of the authorisation as regards Commission Regulations (EC) No 1730/2006 ⁽²⁾ and (EC) No 1138/2007 ⁽³⁾.
- (2) The applicant claims that, following a commercial agreement between Emerald Kalama Chemical BV and DSM Nutritional Products Ltd, the latter owns the marketing rights for the feed additive benzoic acid with effect from 15 April 2014. The applicant has submitted documents supporting its claim.
- (3) The proposed change of the terms of the authorisation is purely administrative in nature and does not entail a fresh assessment of the additive concerned. The European Food Safety Authority was informed of the application.
- (4) To allow that feed additive to be marketed under the name of DSM Nutritional Products Ltd it is necessary to change the terms of the authorisations.
- (5) Regulations (EC) No 1730/2006 and (EC) No 1138/2007 should therefore be amended accordingly.
- (6) Since safety reasons do not require the immediate application of the amendments made by this Regulation to Regulations (EC) No 1730/2006 and (EC) No 1138/2007, it is appropriate to provide for a transitional period during which existing stocks may be used up.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment to Regulation (EC) No 1730/2006**

In the second column of the Annex to Regulation (EC) No 1730/2006, the words 'Emerald Kalama Chemical BV' are replaced by 'DSM Nutritional Products Ltd'.

*Article 2***Amendment to Regulation (EC) No 1138/2007**

In the second column of the Annex to Regulation (EC) No 1138/2007, the words 'Emerald Kalama Chemical BV' are replaced by 'DSM Nutritional Products Ltd'.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Commission Regulation (EC) No 1730/2006 of 23 November 2006 concerning the authorisation of benzoic acid (VevoVitall) as a feed additive (OJ L 325, 24.11.2006, p. 9).

⁽³⁾ Commission Regulation (EC) No 1138/2007 of 1 October 2007 concerning the authorisation of a new use of benzoic acid (VevoVitall) as a feed additive (OJ L 256, 2.10.2007, p. 8).

*Article 3***Transitional measures**

Existing stocks of the additive which have been produced and labelled before 28 August 2014 in accordance with the rules applicable before that date may continue to be placed on the market and used until they are exhausted.

*Article 4***Entry into force**

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

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

Done at Brussels, 7 August 2014.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 864/2014**of 7 August 2014****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 7 August 2014.

*For the Commission,
On behalf of the President,
Jerzy PLEWA*

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0707 00 05	TR	81,4
	ZZ	81,4
0709 93 10	TR	95,4
	ZZ	95,4
0805 50 10	AR	156,6
	CL	186,3
	TR	75,0
	UY	161,6
	ZA	132,7
	ZZ	142,4
0806 10 10	BR	178,3
	CL	187,7
	EG	197,9
	MA	172,3
	MX	247,3
	TR	157,6
	ZZ	190,2
0808 10 80	AR	162,3
	BR	72,9
	CL	122,4
	CN	121,2
	NZ	118,7
	US	156,0
	ZA	101,5
	ZZ	122,1
0808 30 90	AR	199,6
	CL	144,3
	TR	158,2
	ZA	102,2
	ZZ	151,1
0809 29 00	CA	324,1
	CH	388,4
	TR	376,1
	US	324,1
	ZZ	353,2

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0809 30	MK	62,6
	TR	137,7
0809 40 05	ZZ	100,2
	BA	47,9
	MK	49,3
	TR	127,6
	ZA	206,8
	ZZ	107,9

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

CORRIGENDA**Corrigendum to Commission Delegated Regulation (EU) No 887/2013 of 11 July 2013 replacing Annexes II and III to Regulation (EU) No 211/2011 of the European Parliament and of the Council on the citizens' initiative**

(Official Journal of the European Union L 247 of 18 September 2013)

On page 18 (Annex II) under 'CROATIA' in Annex III(C)(2):

for: 'Ozone ...',

read: 'Osobni ...'.

