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(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EC) No 1/2009

of 18 December 2008

amending Regulation (EC) No 1255/96 temporarily suspending the autonomous common customs tariff duties on certain industrial, agricultural and fishery products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) By virtue of Council Regulation (EC) No 1255/96 ⁽¹⁾ the autonomous common customs tariff duties have been suspended partially or totally for a number of products during certain periods. It is in the interest of the Community to insert 88 new products in the list of suspensions set out in the Annex thereto.
- (2) In relation to some products in the list contained in the Annex to Regulation (EC) No 1255/96, the description should be amended in order to take account of technical product developments and economic trends on the market. Those products should be considered as withdrawn from the list and should as a consequence be inserted in it as new products. For six products another CN code should be added to facilitate imports under the measure in question.
- (3) After reviewing all autonomous tariff suspensions with an expiry date of 31 December 2008, 610 products which are currently listed in the Annex to Regulation (EC) No 1255/96 should be withdrawn from the list because it is no longer in the interest of the Community to maintain the suspension of autonomous common customs tariff duties for those products.
- (4) For ease of comprehension, in view of the large number of amendments coming into force on 1 January 2009, the

Annex to Regulation (EC) No 1255/96 should be replaced by a completely new version which has effect from the same date and in which new, amended or prolonged entries are indicated with an asterisk.

- (5) Experience has shown the need to provide for an expiry date for the suspensions listed in Regulation (EC) No 1255/96 to ensure that account is taken of technological and economic changes. This should not exclude the premature termination of certain measures or their continuation beyond the suspension period, if economic reasons are submitted, in accordance with the principles laid down in the Commission Communication of 1998 concerning autonomous tariff suspensions and quotas ⁽²⁾.
- (6) Regulation (EC) No 1255/96 should therefore be amended accordingly.
- (7) Having regard to the economic importance of this Regulation, it is necessary to rely on the grounds of urgency provided for in point I(3) of the Protocol on the role of national parliaments in the European Union annexed to the Treaty on European Union and to the Treaties establishing the European Communities.
- (8) Since the suspensions laid down in this Regulation have to take effect from 1 January 2009, this Regulation should apply from the same date and enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1255/96 shall be replaced by the Annex to this Regulation.

⁽¹⁾ OJ L 158, 29.6.1996, p. 1.

⁽²⁾ OJ C 128, 25.4.1998, p. 2.

Article 2

The temporary suspensions of the autonomous duties of the Common Customs Tariff for the products set out in the Annex shall apply from 1 January 2009. They shall expire on the dates listed in the Annex.

Article 3

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

It shall apply from 1 January 2009.

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

Done at Brussels, 18 December 2008.

For the Council

The President

M. BARNIER

ANNEX

CN code	TARIC	Description	Rate of autonomous duty	Validity period
*ex 0302 69 99	30	Red snapper (<i>Lutjanus purpureus</i>), fresh, chilled, for processing ⁽¹⁾ ⁽²⁾	0 %	31.12.2013
*ex 0302 70 00 ex 0303 80 90	89 19	Hard fish roes, fresh, chilled or frozen	0 %	31.12.2013
*ex 0304 29 61 ex 0304 99 99	10 31	Fillets and meat of dogfish (<i>Squalus acanthias</i>), frozen	6 %	31.12.2013
*ex 0305 20 00 ex 0305 20 00	11 30	Hard fish roes, salted or in brine	0 %	31.12.2013
*ex 0710 21 00	10	Peas in pods, of the species <i>Pisum sativum</i> of the variety <i>Hortense axiphium</i> , frozen, of a thickness of not more than 6 mm, to be used, in their pods, in the manufacture of prepared meals ⁽¹⁾ ⁽²⁾	0 %	31.12.2013
*ex 0710 80 95	50	Bamboo shoots, frozen, not put up for retail sale	0 %	31.12.2013
*ex 0711 59 00	11	Mushrooms, excluding mushrooms of the genera <i>Agaricus</i> , <i>Calocybe</i> , <i>Clitocybe</i> , <i>Lepista</i> , <i>Leucoagaricus</i> , <i>Leucopaxillus</i> , <i>Lyophyllum</i> and <i>Tricholoma</i> , provisionally preserved in brine, in sulphur water, or in other preservative solutions, but unsuitable in that state for immediate consumption, for the food-canning industry ⁽¹⁾	0 %	31.12.2011
*ex 0712 32 00 ex 0712 33 00 ex 0712 39 00	10 10 31	Mushrooms, excluding mushrooms of the genus <i>Agaricus</i> , dried, whole or in identifiable slices or pieces, for treatment other than simple repacking for retail sale ⁽¹⁾ ⁽²⁾	0 %	31.12.2013
*ex 0804 10 00	10	Dates, fresh or dried, not put up for retail sale	0 %	31.12.2013
*ex 0810 40 50	10	Fruit of the species <i>Vaccinium macrocarpon</i> , fresh	0 %	31.12.2013
*0811 90 50 0811 90 70 ex 0811 90 95	69	Fruit of the genus <i>Vaccinium</i> , uncooked or cooked by steaming or boiling in water, frozen, not containing added sugar or other sweetening matter	0 %	31.12.2013
*ex 0811 90 95	20	Boysenberries, frozen, not containing added sugar, not put up for retail sale	0 %	31.12.2013
*ex 0811 90 95	30	Pineapple (<i>Ananas comosus</i>), in pieces, frozen	0 %	31.12.2013
*ex 0811 90 95	40	Rose-hips, uncooked or cooked by steaming or boiling in water, frozen, not containing added sugar or other sweetening matter	0 %	31.12.2013
*ex 1511 90 19 ex 1511 90 91 ex 1513 11 10 ex 1513 19 30 ex 1513 21 10 ex 1513 29 30	10 10 10 10 10 10	Palm oil, coconut (copra) oil, palm kernel oil, for the manufacture of: — industrial monocarboxylic fatty acids of subheading 3823 19 10, — mixtures of methyl esters of fatty acids of subheading 3824 90 91, — methyl esters of fatty acids of heading 2915 or 2916, — stearic acid of subheading 3823 11 00 or — goods of heading No 3401 ⁽¹⁾	0 %	31.12.2013
*ex 1515 90 99	92	Vegetable oil, refined, containing by weight 35 % or more but not more than 50 % of arachidonic acid or 35 % or more but not more than 50 % of docosahexaenoic acid	0 %	31.12.2013
ex 1517 90 99	10	Vegetable oil, refined, containing by weight 35 % or more but not more than 50 % arachidonic acid or 35 % or more but not more than 50 % docosahexaenoic acid and standardized with high oleic sunflower oil (HOSO)	0 %	31.12.2011
*ex 1604 11 00	20	Pacific salmon (<i>Oncorhynchus</i> spp.), for the processing industry for manufacture into pastes or spreads ⁽¹⁾	0 %	31.12.2013
*ex 1604 30 90	10	Hard fish roes, washed, cleaned of adherent organs and simply salted or in brine, for processing ⁽¹⁾	0 %	31.12.2013

CN code	TARIC	Description	Rate of autonomous duty	Validity period
*ex 1605 10 00 ex 1605 10 00	11 19	Crabs of the species 'King' (<i>Paralithodes camchaticus</i>), 'Hanasaki' (<i>Paralithodes brevipes</i>), 'Kegani' (<i>Erimacrus isenbecki</i>), 'Queen' and 'Snow' (<i>Chionoecetes</i> spp.), 'Red' (<i>Geryon quinquedens</i>), 'Rough stone' (<i>Neolithodes asperrimus</i>), <i>Lithodes santolla</i> , 'Mud' (<i>Scylla serrata</i>), 'Blue' (<i>Portunus</i> spp.), simply boiled in water and shelled, whether or not frozen, in immediate packings of a net content of 2 kg or more	0 %	31.12.2013
*ex 1902 30 10 ex 1903 00 00	10 20	Transparent noodles, cut in pieces, obtained from beans (<i>Vigna radiata</i> (L.) Wilczek), not put up for retail sale	0 %	31.12.2013
*ex 2005 91 00	10	Bamboo shoots, prepared or preserved, in immediate packings of a net content of more than 5 kg	0 %	31.12.2013
ex 2008 60 19 ex 2008 60 39	30 30	Sweet cherries containing added spirit, whether or not with a sugar content of 9 % by weight, of a diameter of not more than 19,9 mm, with stone, for use in chocolate products ⁽¹⁾	10 % (²)	31.12.2012
ex 2009 80 79	87	Frozen boysenberry juice concentrate with a Brix value of 61 or more, but not more than 65	0 %	31.12.2011
ex 2009 80 99	93	Untreated frozen coconut water, not put up for retail sale	0 %	31.12.2011
*ex 2106 10 20	10	Soya protein isolate, containing by weight 6,6 % or more but not more than 8,6 % of calcium phosphate	0 %	31.12.2013
*ex 2710 11 25	10	Mixture of isomers 2,4,4-trimethylpent-1-ene and 2,4,4-trimethylpent-2-ene	0 %	31.12.2013
*ex 2804 70 00	10	Yellow phosphorus	0 %	31.12.2013
*ex 2805 30 10	10	Alloy of cerium and other rare-earth metals, containing by weight 47 % or more of cerium	0 %	31.12.2013
*ex 2805 30 90	10	Lanthanum of a purity by weight of 99 % or more	0 %	31.12.2013
*ex 2811 19 80	10	Sulphamidic acid	0 %	31.12.2013
*ex 2811 22 00	10	Silicon dioxide in the form of powder, for use in the manufacture of high performance liquid chromatography columns (HPLC) and sample preparation cartridges ⁽¹⁾	0 %	31.12.2013
ex 2811 22 00	20	Microspheres of amorphous silicon of a particle size of 5 µm (± 1 µm), for use in the manufacture of cosmetic products ⁽¹⁾	0 %	31.12.2011
ex 2811 22 00	30	Balls of porous white silica of a particle size of more than 1 µm for use in the manufacture of cosmetic products ⁽¹⁾	0 %	31.12.2011
*ex 2812 90 00	10	Nitrogen trifluoride	0 %	31.12.2013
*ex 2812 90 00	20	Silicon tetrafluoride	0 %	31.12.2013
*ex 2818 30 00	10	Aluminium hydroxide oxide in the form of pseudo-boehmite	4 %	31.12.2013
2819 10 00		Chromium trioxide	0 %	31.12.2011
*ex 2823 00 00	10	Titanium dioxide, of a purity by weight of 99,9 % or more, with an average grain-size of 1,2 µm or more but not more than 1,8 µm, for the manufacture of goods of heading No 8532 or 8533 ⁽¹⁾	0 %	31.12.2013
*ex 2825 50 00	10	Copper (I or II) oxide containing by weight 78 % or more of copper and not more than 0,03 % of chloride	0 %	31.12.2013
*ex 2827 39 85	10	Copper monochloride of a purity by weight of 96 % or more but not more than 99 %	0 %	31.12.2013
*ex 2827 39 85	20	Antimony pentachloride of a purity by weight of 99 % or more	0 %	31.12.2011
*ex 2827 49 90	10	Hydrated zirconium dichloride oxide	0 %	31.12.2013
*ex 2830 10 00	10	Disodium tetrasulphide, containing by weight 38 % or less of sodium calculated on the dry weight	0 %	31.12.2013
*ex 2833 29 80	10	Manganese sulphate monohydrate	0 %	31.12.2013