COMMISSION REGULATION (EC) No 2004/2002
of 8 November 2002
relating to the procedure for determining the meat and fat content of certain pigmeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat [1], as last amended by Regulation (EC) No 1365/2000 [2], and in particular Article 13(12) thereof,

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 [3], as last amended by Commission Regulation (EC) No 969/2002 [4], and in particular Article 9 thereof,

Whereas:

(1) Commission Regulation (EEC) No 3846/87 of 17 December 1987 establishing an agricultural product nomenclature for export refunds [5], as last amended by Regulation (EC) No 1007/2002 [6], established, on the basis of the combined nomenclature, an agricultural product nomenclature for export refunds.

(2) Provisions are needed to ensure uniform application of the nomenclature in the Annex to Regulation (EEC) No 3846/87 in the pigmeat sector with a view to the classification of products falling within product codes 1602 41 10 9110, 1602 41 10 9130, 1602 42 10 9110, 1602 42 10 9130 and 1602 49 19 9130.

(3) It is necessary to define a procedure for determining the percentage by weight of meat and fats.

(4) Commission Regulation (EEC) No 1583/89 of 7 June 1989 relating to the procedure for determining the meat and fat content of certain pigmeat products [7] lays down a procedure for determining the percentage by weight of meat and fats. However, the description of the products referred to in that Regulation no longer corresponds to reality and should therefore be amended. In making this amendment, the opportunity should also be taken to recast the relevant rules and to base the new text on Article 37 of the Treaty, as it concerns exclusively the uniform application of the agricultural product nomenclature for export refunds.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat and the Customs Code Committee regarding the issues coming within their respective areas of responsibility,

HAS ADOPTED THIS REGULATION:

Article 1

The percentage by weight of meat and fat in products falling within product codes 1602 41 10 9110, 1602 41 10 9130, 1602 42 10 9110, 1602 42 10 9130 and 1602 49 19 9130 of the nomenclature contained in the Annex to Regulation (EEC) No 3846/87 shall be determined in accordance with the procedure described in the Annex hereto.

Article 2

Regulation (EEC) No 1583/89 is hereby repealed.

Article 3

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

It shall apply to export licences applied for from 18 November 2002.

[1] OJ L 282, 1.11.1975, p. 1.
[2] OJ L 156, 29.6.2000, p. 5.
[3] OJ L 256, 7.9.1987, p. 1.
[4] OJ L 149, 7.6.2002, p. 20.
[5] OJ L 366, 24.12.1987, p. 1.
[6] OJ L 153, 13.6.2002, p. 8.
[7] OJ L 156, 8.6.1989, p. 13.