COMMISSION REGULATION (EC) No 709/2000
of 4 April 2000
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tafiff [1], as last amended by Commission Regulation (EC) No 2626/1999 [2], and in particular Article 9 thereof,

Whereas:

(1) In order to ensure uniform application of the Combined Nomenclature annexed to the said Regulation, 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 set down the general rules for the interpretation of the Combined Nomenclature. Those rules also apply 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 Community provisions, with a view to the application of tariff and other measures relating to trade in goods.

(3) Pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the CN codes indicated in column 2, by virtue of the reasons set out in column 3.

(4) It is appropriate, that, subject to the measures in force in the Community relating to double-checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which does not conform to the provisions of this Regulation, can continue to be invoked, under the provisions in Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code [3], as last amended by European Parliament and Council Regulation (EC) No 955/1999 [4], for a period of 60 days by the holder.

(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 annexed table are classified within the Combined Nomenclature under the CN codes indicated in column 2 of the said table.

Article 2

Subject to the measures in force in the Community relating to double-checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information issued by the customs authorities of Member States which does not conform to the provisions of this Regulation can continue to be invoked under the provisions of Article 12(6) of Regulation (EEC) No 2913/92 for a period of 60 days.

Article 3

This Regulation shall enter into force on the 20th 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, 4 April 2000.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

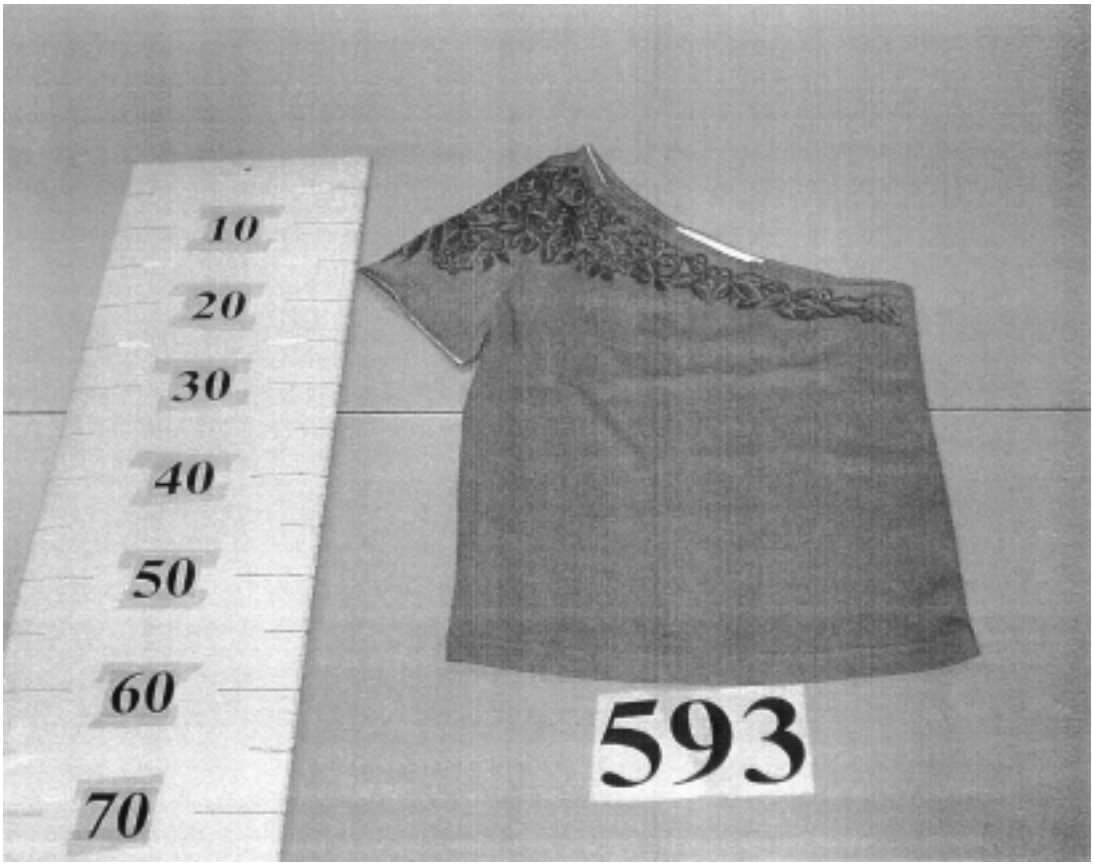
[1] OJ L 256, 7.9.1987, p. 1.
[2] OJ L 321, 14.12.1999, p. 3.
[3] OJ L 302, 19.10.1992, p. 1.
[4] OJ L 119, 7.5.1999, p. 1.

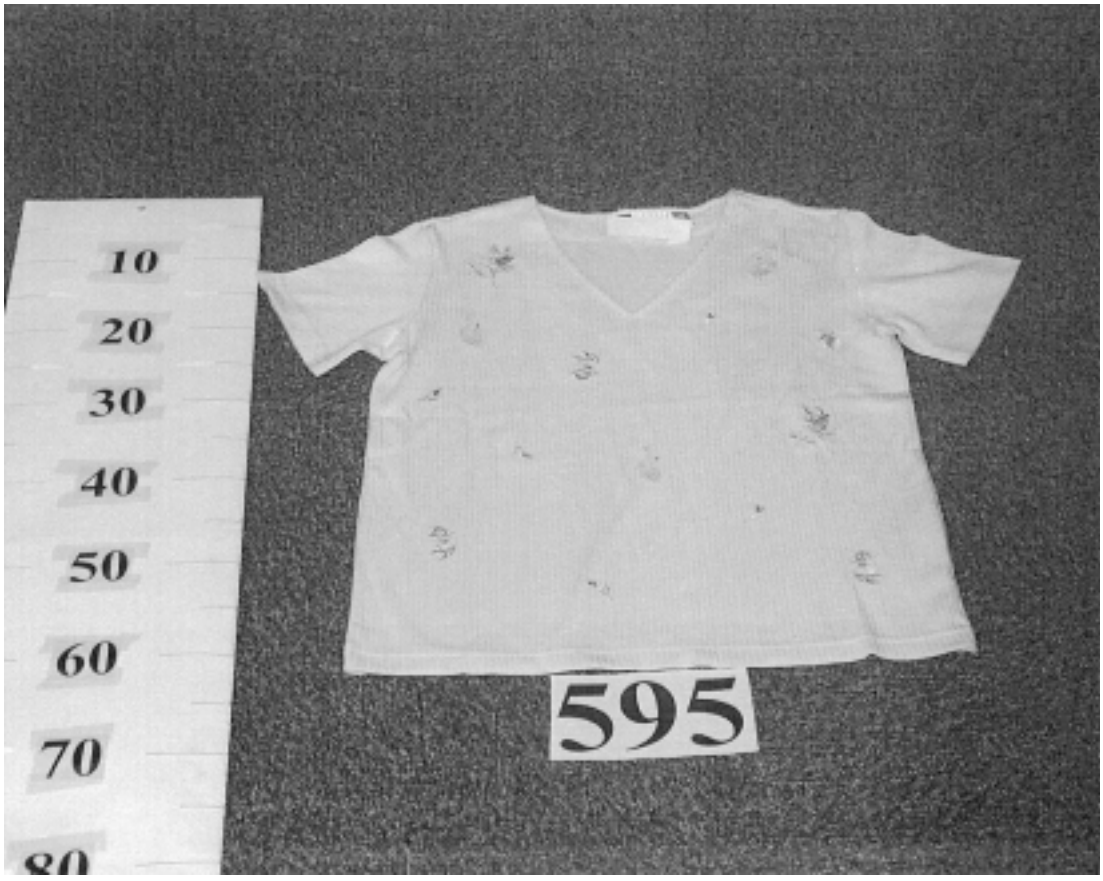
ANNEX

Description of the goods	Classification (CN code)	Reason
(1)	(2)	(3)
1. Single coloured knitted garment (95 % cotton, 5 % elasthan), with more than ten stitches per linear centimetre in each direction counted on an area measuring at least 10 cm × 10 cm. It has a straight cut, intended to cover the upper part of the body, reaching down to below the waist (59 cm), with only one short sleeve It has an asymmetric and very low-cut neckline without an opening On the front part, it is decorated with a piece of embroidery let in on the neckline and on the sleeve It also has woven bands sewn on at the neckline and at the sleeve-end and is hemmed at the base of the garment (Blouse) (See photograph No 593) (*)	6106 10 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 4 to Chapter 61 and the wording of CN codes 6106, and 6106 10 00 See also the Explanatory Notes to the Combined Nomenclature to heading 6106 relating to blouses Taking into account its cut and its very low-cut neckline, this garment is to be classified as blouse
2. Single coloured garment made of thick knitted fabric and ribbed along its length (100 % cotton), of a straight cut, intended to cover the upper part of the body, reaching down to below the waist (62 cm), with short sleeves It has a V-neckline without an opening and decorative embroidery on the front The sleeve-ends, the neckline and the base of the garment are hemmed (Garment similar to a pullover) (See photograph No 595) (*)	6110 20 99	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 6110, 6110 20 and 6110 20 99 See also the Explanatory Notes to the Combined Nomenclature to heading 6110 Taking into account the general appearance of the garment and the nature of the fabric in which it is manufactured this garment is to be classified as a garment similar to a pullover
3. Multicoloured garment made of a velvet knitted fabric of man-made fibres (80 % viscose, 20 % polyester), with more than ten stitches per linear centimetre in each direction counted on an area measuring at least 10 cm × 10 cm This garment is of a close-fitting cut and covers the upper part of the body to below the waist The garment has long, tightfitting sleeves, a round neck with no opening and a decorative motif on the front The neck and sleeve-ends are bound with an applied welt of knit fabric and the bottom of the garment is hemmed (Garment similar to a pullover) (See photograph No 585) (*)	6110 30 99	Classification is determined by General Notes 1 and 6 for the interpretation of the Combined Nomenclature, Notes 1 and 9, second paragraph to Chapter 61 and the wording of CN codes 6110, 6110 30 and 6110 30 99 See also the Explanatory Notes to the Harmonized System to heading 6109 and the Combined Nomenclature Explanatory Notes to heading 6110 Taking into account the absence of fastening this garment cannot be classified as blouse of heading 6106

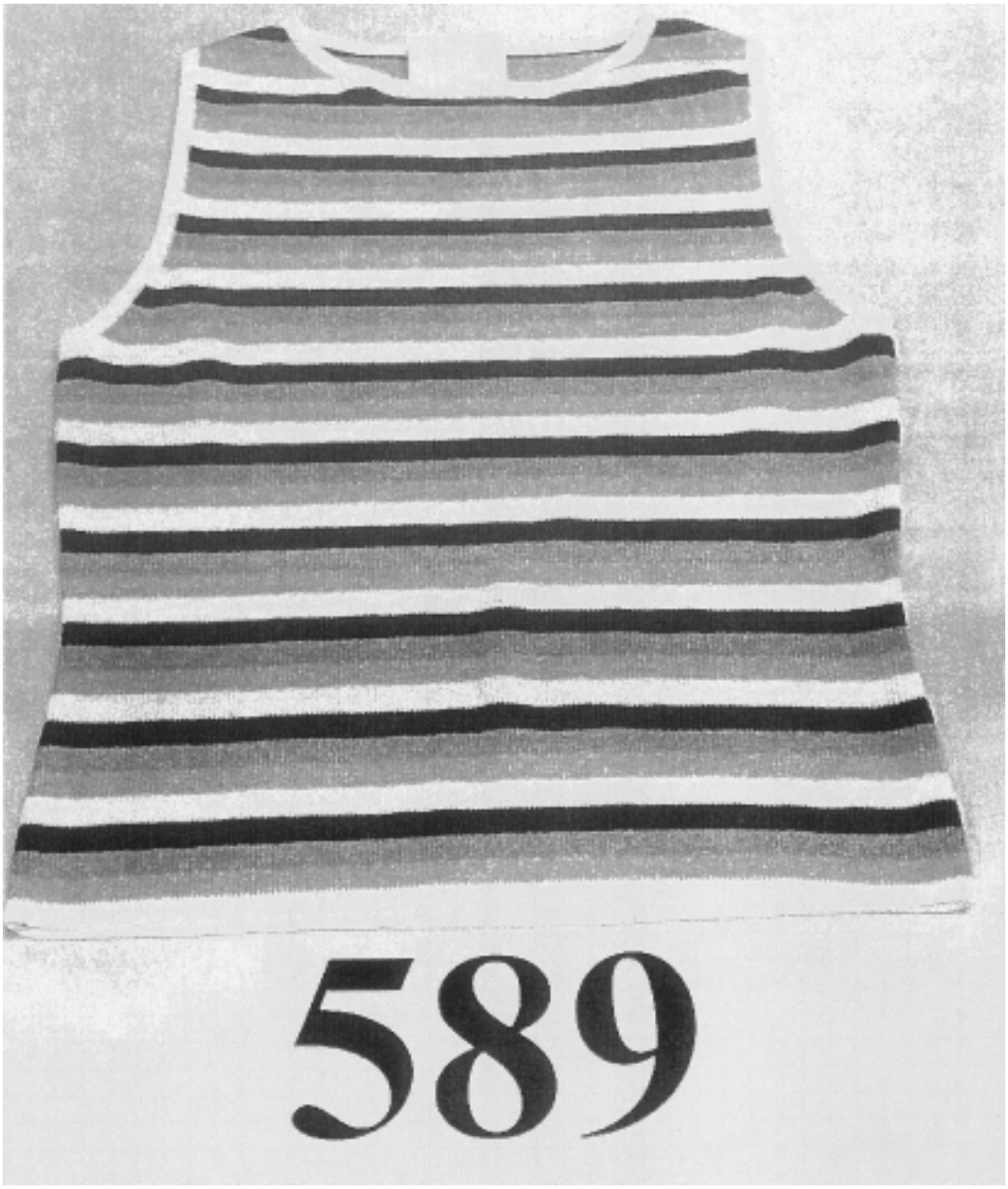
Description of the goods	Classification (CN code)	Reason
(1)	(2)	(3)
4. Close-fitting striped knitted garment (thickness: (1,5 mm, 70 % acrylic, 30 % polyester), intended to cover the upper part of the body, reaching down to the waist (51 cm). It is sleeveless and is ribbed along its length It has a rounded neckline without an opening. It is bound round the neckline and armholes (Garment similar to a pullover) (See photograph No 589) (*)	6110 30 99	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Notes 1 and 9, second paragraph, to Chapter 61 and the wording of CN codes 6110, 6110 30 and 6110 30 99 See also the Explanatory Notes to the Combined Nomenclature to heading 6110 Taking into account the weight of the garment and its thickness, this garment cannot be classified as singlet or vest of heading 6109

(*) The photographs are purely for information.




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