COMMISSION REGULATION (EEC) No 3516/84

of 13 December 1984

on the classification of goods falling within subheading 08.12 C of the Common Customs Tariff

THE COMMISSION 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 the uniform application of the nomenclature of the Common Customs Tariff (1), as last amended by Regulation (EEC) No 2055/84 (2), and in particular Article 3 thereof,

Whereas, in order to ensure that the Common Customs Tariff Nomenclature is applied uniformly, measures must be taken concerning the classification of pitted prunes, ready to eat, having a moisture content not exceeding 35 % to which sorbic acid has been added ;

Whereas heading No 08.12 of the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68 (3), as last amended by Regulation (EEC) No 3400/84 (4), relates in particular to dried fruits other than those falling within heading No 08.01 to 08.05 inclusive ;

Whereas the products in question have the characteristics of goods falling within heading No 08.12 and must therefore be classified in this heading ; whereas, within the latter, subheading 08.12 C is the most appropriate ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION :

Article 1

Pitted prunes, ready to eat, having a moisture content not exceeding 35 % to which sorbic acid has been added, shall be classified in the Common Customs Tariff within subheading :

08.12 Fruit, dried, other than that falling within heading Nos 08.01, 08.02, 08.03, 08.04 or 08.05 :

C. Prunes

Article 2

This Regulation shall enter into force on the 21st 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, 13 December 1984.

For the Commission

Karl-Heinz Narjes

Member of the Commission

(1) OJ No L 14, 21. 1. 1969, p. 1.
(2) OJ No L 191, 19. 7. 1984, p. 1.
(3) OJ No L 172, 22. 7. 1968, p. 1.
(4) OJ No L 320, 10. 12. 1984, p. 1.