COMMISSION REGULATION (EEC) No 1030/86

of 8 April 1986

on the classification of goods falling within subheading 73.40 B 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 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 uniform application of the nomenclature of the Common Customs Tariff, provision must be made for the classification of a key-ring consisting of a small nickel-plated steel chain approximately 3 cm in length, with, at one end, a ring of the same metal that can be opened and closed and at the other a small protective cover of plastic material (approximately 5 × 2,5 cm) containing a miniature address book, the cover of which bears a promotional message;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68 [3], as last amended by Regulation (EEC) No 3679/85 [4], lists within heading No 73.40 other articles of iron or steel and within heading No 48.18, amongst other things, registers, exercise books, note-books, memorandum blocks, order books, receipt books and diaries; whereas these headings may be taken into consideration in classifying the goods in question;

Whereas the key-ring is a composite article; whereas the address book is too small to be of practial use; whereas the ring and small chain, of nickel-plated steel, give the article, having regard to its normal use, its essential character within the meaning of General Rule 3 (b) for the interpretation of the nomenclature of the Common Customs Tariff; whereas the key-ring should therefore be classified within subheading 73.40 B;

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

A key-ring consisting of a small nickel-plated steel chain approximately 3 cm in length, with, at one end, a ring of the same metal that can be opened and closed and at the other a small protective cover of plastic material (approximately 5 × 2,5 cm) containing a miniature address book, the cover of which bears a promotional message, shall be classified in the Common Customs Tariff within subheading:

73.40 Other articles of iron or steel:

B. Other.

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, 8 April 1986.

For the Commission

COCKFIELD

Vice-President

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(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 351, 28. 12. 1985, p. 2.