COMMISSION REGULATION (EC) No 511/96

of 22 March 1996

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 Tariff [1], as last amended by Regulation (EC) No 334/96 [2], and in particular Article 9 thereof,

Whereas 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;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to this Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas 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 in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which do not conform to this Regulation may continue to be invoked in accordance with the provisions of Article 12 (6) of Council Regulation (EEC) No 2913/92 of 12 October 1992, establishing the Community Customs Code [3], for a period of 60 days by the holder;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the tariff and statistical nomenclature section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate 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 in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with 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 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, 22 March 1996.

For the Commission

Mario MONTI

Member of the Commission

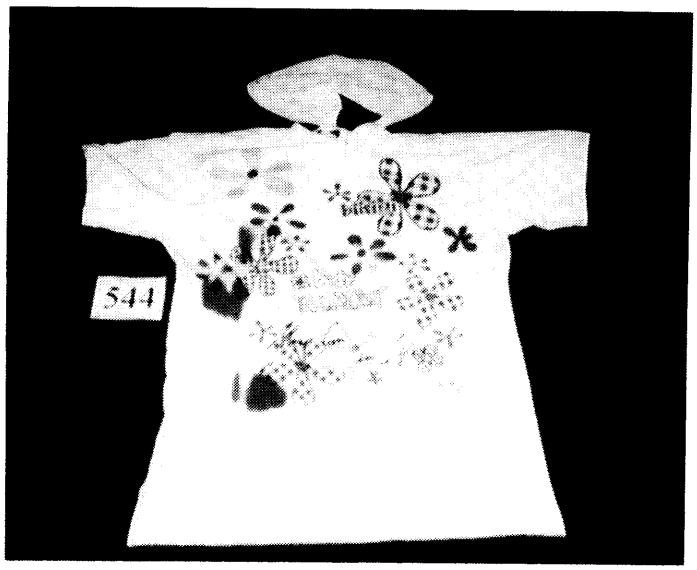
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[1] OJ No L 256, 7. 9. 1987, p. 1.
[2] OJ No L 49, 28. 2. 1996, p. 1.
[3] OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Description of goods	Classification (CN code)	Reasons
(1)	(2)	(3)
1. Pure cotton lightweight knitted garment, loosely cut, covering the upper part of the body to mid-thigh level. The garment has a round neckline with a ribbed edge crossing left over right, short wide sleeves and printed decoration on the front. It has side slits and is hemmed at the lower edge. The garment has a detachable hood fastened by buttons at the neck. (Dress) (See photograph No 544) (*)	6104 42 00	Classification is based on General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 6104 and 6104 42 00. Taking account of the general appearance, this garment is considered to be a dress. The left over right overlap at the ribbing is purely for decoration.
2. Set of two garments made up in the same slightly pleated lightweight fabric (100 % viscose), with printed multicoloured motifs which are identical on both garments. It is presented for retail sale and comprises: (a) a short-sleeved garment intended to cover the upper part of the body, reaching down to just below the waist. It has a wide neckline without an opening. The garment also has a means of tightening at the neckline and at the sleeve-ends. Elastomeric threads sewn every 2 cm inside the garment, from the chest to the waist, emphasize the pleating effect (smocks). (Blouse) (b) a loose-fitting garment intended to cover the lower part of the body to above the knees, having a drawstring and elasticated waist. (Skirt)	6204 29 18	The classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, notes 3 (b) and 8 to Chapter 62, additional note 1 to Chapter 62 and by the wording of CN codes 6204, 6204 29 and 6204 29 18.
3. Set of two garments made up in a slightly pleated lightweight fabric (100 % viscose), with printed multicoloured motifs which are not identical on both garments. It is presented for retail sale and comprises: (a) a short-sleeved garment intended to cover the upper part of the body, reaching down to just below the waist. It has a wide neckline without an opening. The garment also has a means of tightening at the neckline and at the sleeve-ends. Elastomeric threads sewn every 2 cm inside the garment, from the chest to the waist, emphasize the pleating effect (smocks). (Blouse) (b) a loose-fitting garment intended to cover the lower part of the body to above the knees, having a drawnstring and elasticated waist. (Skirt)	6206 40 00 6204 59 10	The classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, notes 3 (b) and 8 to Chapter 62, additional note 1 to Chapter 62 and by the wording of CN codes 6204, 6204 59, 6204 59 10, 6206 and 6206 40 00. Because the components of this set have different styles (printed motifs which are not identical on both garments), they are to be classified separately.

(*) Photographs are purely for illustrative purposes.


544