COMMISSION REGULATION (EC) No 272/98

of 2 February 1998

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 Commission Regulation (EC) No 2509/97 [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 within 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 provisons 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 within 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, 2 February 1998.

For the Commission

Mario MONTI

Member of the Commission

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[1] OJ L 256, 7. 9. 1987, p. 1.
[2] OJ L 345, 16. 12. 1997, p. 44.
[3] OJ L 302, 19. 10. 1992, p. 1.

ANNEX

Description	Classification CN code	Reason
(1)	(2)	(3)
1. Self-coloured garment made of a thick knitted fabric (2,8 mm), brushed inside and out, with more than 10 stitches per linear centimetre (100 % polyester), cut straight, intended to cover the upper part of the body as far as the hips. The garment is shorter at the front than at the back. It has long, cuffed sleeves, a turnover collar, opens all the way down the front and can be closed by buttoning left over right. It has side slits at the bottom. The garment also has an embroidered breast-pocket sewn on. (Garment similar to a cardigan) (See photograph No 567) (*)	6110 30 91	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 9 to Chapter 61, and the wording of CN codes 6110, 6110 30 and 6110 30 91. Taking into account its cut and general appearance (in particular the type and thickness of the fabric, the fact that it is unlined and lacks the required stiffness), this garment is to be classified as an article similar to a cardigan. See also the explanatory notes to the Combined Nomenclature concerning heading 6110.
2. Goalkeeper's glove used for ice hockey or street hockey consisting of two parts, glove and blocking pad connected by five points of stitching. It is usually worn on the right hand (if the goalkeeper is right-handed) which also holds the stick. The blocking pad, which forms the back of the glove (dimensions: 37 cm × 20 cm × 3 cm), is made of rigid cellular plastic, entirely covered, mainly with knitted fabrics of man-made fibres. The main purpose is to stop the ball (or puck in ice hockey) when shot towards the goal and which protects the back of the hand. The other part of the article resembles a normal glove. The palm is made of non-woven polyamide microfibres and is used by the goalkeeper to hold and handle the stick. The upper part is made of knitted fabrics. (See photograph No 571) (*)	6116 93 00	Classification is determined by the provisions of general rules 1, 3b and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 6116 and 6116 93 00. See also the HS explanatory notes to heading 9506.
3. Unlined close-fitting garment, of denim fabric (100 % cotton), with turnover collar, intended to cover the upper part of the body just down to the waist. It has long sleeves with buttoned cuffs, a close-fitting neckline, a full-length slide fastener at the front, breast-pockets and a slightly shaped bound hem at the base of the garment. The garment is made up of 10 panels (six at the front, four at the back) sewn together lengthways with decorative seams. (jacket) (See photograph No 568) (*)	6204 32 90	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the Combined Nomenclature, notes 1 and 8 to Chapter 62 and the wording of CN codes 6204, 6204 32 and 6204 32 90. Taking into account its cut and general appearance this garment is to be classified as a jacket.









(*) The photographs are purely for information.