COMMISSION REGULATION (EC) No 710/2000
of 3 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 [1] on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EC) No 254/2000 [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 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 Council and European Parliament Regulation (EC) No 955/1999 [4], for a period of three months 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

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 three months.

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, 3 April 2000.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

[1] OJ L 256, 7.9.1987, p. 1.
[2] OJ L 28, 3.2.2000, p. 16.
[3] OJ L 302, 19.10.1992, p. 1.
[4] OJ L 119, 7.5.1999, p. 1.

ANNEX

Description of the goods	CN code	Grounds
(1)	(2)	(3)
1. Matured (for four weeks approximately) pale yellow cheese with no holes of a Cheddar type with the following analytical characteristics (% by weight): — dry matter: 63 — fat content in the dry matter: 51,2 — proteins as is: 24 — water content by weight in the non-fatty matter: 54,6	0406 90 21	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 0406, 0406 90 and 0406 90 21. The product, which possesses the characteristics of a Cheddar cheese is classified in CN code 0406 90 21, regardless of the maturation time.
2. *Citrus latifolia*: limes, ranging from dark green to pale yellow in colour, with a thin skin and a characteristic acid smell and taste, ovoid, virtually without pips and generally weighing between 70 and 120 g.	0805 90 00	The classification is determined by the General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 0805 and 0805 90 00. *Citrus latifolia* is a separate species of lime from *Citrus aurantifolia* in CN code 0805 30 90.
3. Prawn crackers in the form of hard, translucent discs, partially cooked by steaming and dried in an oven, made from starch, water, salt, sugar (approximately 4 %), shrimp meat (approximately 5 %) and containing flavour enhancer. The product is ready for consumption only after frying in oil or fat.	1905 90 60	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 1905, 1905 90 and 1905 90 60. The heat treatment is considered to be partial cooking and the product is therefore excluded from heading 1901 (see HS Explanatory Notes to heading 1901, II., exclusion note (e)). Because of the addition of sugar and shrimp meat the product has lost the characteristics of products of CN code 1905 90 20.
4. Cucumbers that have undergone a complete lactic fermentation, immersed in brine. The brine contains, by weight, 8,4 % salt and 1 % lactic acid. The cucumbers are used for the preparation of products known as 'pickles'.	2005 90 80	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 2005, 2005 90 and 2005 90 80. The cucumbers which have undergone a complete lactic fermentation are excluded from heading 0711, regardless of the salt content of the brine (see the last paragraph of the HS Explanatory Notes to heading 0711 and the last paragraph of CN Explanatory Notes to code 0711 40 00).