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COMMISSION REGULATION (EC) No 1004/2001

of 22 May 2001

concerning the classification of certain goods in the Combined Nomenclature

(OJ L 140 , 24.5.2001, p. 8)

Amended by:

		Official Journal		
		No	page	date
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Corrected by:

►**C1** Corrigendum, OJ L 173 , 27.6.2001, p. 48 (1004/2001)

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COMMISSION REGULATION (EC) No 1004/2001

of 22 May 2001

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 Regulation (EC) No 2559/2000 ([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 2700/2000 ([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.

([1]) OJ L 256, 7.9.1987, p. 1.
([2]) OJ L 293, 22.11.2000, p. 1.
([3]) OJ L 302, 19.10.1992, p. 1.
([4]) OJ L 311, 12.12.2000, p. 17.

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Article 3

This Regulation shall enter into force on the twentieth 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.

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ANNEX

Description of the goods	Classification (CN) Code	Reasons
(1)	(2)	(3)
Modular linear camera with a single-channel video output. The circuitry within the camera is comprised of differential line drivers and receivers, timing control logic, CCD linear imaging sensor, DC restoration, video combining, output gain and buffering. The camera is designed for incorporation into electro-optical measurement and control systems. See photograph (*).	►C1 8525 30 90 ◄	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 2(a) to Chapter 90 and the wording of the CN codes 8525, 8525 30 and 8525 30 90. The camera is excluded from Chapter 90, as it is a product classifiable in its respective heading of Chapter 85
▼M1 Set put up for retail sale comprising a colour monitor, cable clips, power cable, remote control (operated by two batteries), a user manual and installation diskettes. The monitor is of the plasma type with a diagonal measurement of the screen of 105,6 cm (overall dimensions 103,5 (W) × 64 (H) × 15 (D) cm) with an 852 × 480 pixel configuration and two internal loudspeakers. It has the following interfaces: — three video input connectors (composite video signal), — a data input connector (VGA-SVGA), — an audio input connector, — a control connector. The different interfaces enable the monitor to show in colour both data received from automatic data-processing machines and still or moving images from a video recording or reproducing apparatus, a DVD-player, a video camera, etc.	8528 21 90	Classification is determined by General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and the wording of the CN codes 8528, 8528 21 and 8528 21 90. The essential character of the set is conferred by the monitor. The product is not classifiable under subheading 8471 60 because it is capable of reproducing a colour image from a composite video signal (see the HS Explanatory Notes to heading 8471, point (I)(D)(1)). Likewise, the product is not to be classified under heading 8531 because its function is not to provide visual indication for signalling purposes (see the HS Explanatory Notes to heading 8531, point (D)).

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(*) The photograph is purely for information.

