

## COMMISSION REGULATION (EEC) No 441/91

of 25 February 1991

concerning the classification of certain goods in the codes 1704 10 19, 1704 10 99,  
and 9502 10 10 of the combined nomenclature and repealing Regulation (EEC)  
No 1287/83

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European  
Economic 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<sup>(1)</sup>, as last amended  
by Regulation (EEC) No 53/91<sup>(2)</sup>, and in particular  
Article 9 thereof,

Whereas in order to ensure uniform application of the  
combined nomenclature annexed to that Regulation, it is  
necessary to adopt measures concerning the classification  
of the goods referred to in the annex to the present Regu-  
lation;

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 Regu-  
lation must be classified under the appropriate CN codes  
indicated in column 2, by virtue of the reasons set out in  
column 3;

Whereas this Regulation concerns also the products  
referred to in Commission Regulations (EEC) No  
1278/83<sup>(3)</sup>; whereas, therefore, the latter Regulation  
should be repealed;

Whereas the measures provided for in this Regulation are  
in accordance with the opinion of the Nomenclature  
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  
table.

*Article 2*

Regulation (EEC) No 1287/83 is hereby repealed.

*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, 25 February 1991.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

<sup>(1)</sup> OJ No L 256, 7. 9. 1987, p. 1.  
<sup>(2)</sup> OJ No L 7, 10. 1. 1991, p. 14.

<sup>(3)</sup> OJ No L 137, 26. 5. 1983, p. 11.

## ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
<p>Plastic dolls with movable limbs, 140 mm tall, with transparent plastic chests filled with about 10 grams of small sweets (chewing-gum) containing sucrose, which can be removed through an aperture under the belt-buckle of the doll.</p>	<p>1704 10 19 }  1704 10 99 } chewing gum  9502 10 10 dolls</p>	<p>Classification is determined by the provisions of general rules 1, 5 b and 6 for the interpretation of the combined nomenclature and the texts of CN codes 1704, 1704 10, 1704 10 19, 1704 10 99 (depending on the sucrose content), 9502, 9502 10 and 9502 10 10.</p> <p>These dolls are not the normal method of packaging for chewing gum, hence they should be classified separately.</p>