

COMMISSION REGULATION (EC) No 691/96
of 16 April 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 Commission Regulation (EC) No 586/96⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the abovementioned 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 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;

Whereas, 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 appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is accepted 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 do not conform to the rights established by 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⁾, for a period of three months 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 abovementioned table.

Article 2

Binding tariff information issued by the customs authorities of Member States which does not conform to the rights established by 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 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, 16 April 1996.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 84, 3. 4. 1996, p. 18.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Description of goods	Classification CN code	Reasons												
(1)	(2)	(3)												
<p>1. Preparation, with a basis of amylaceous substances, obtained by etherification of a wheat flour and with a starch content of approximately 61 % by weight as determined by the method given in Annex II to Commission Regulation (EEC) No 4154/87 (OJ No L 392 of 31. 12. 1987, p. 19).</p> <p>This is a preparation of the kind generally used in the paper industry.</p>	3809 10 30	<p>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 3809, 3809 10 and 3809 10 30.</p> <p>See, also, the HS Explanatory Notes to heading 38.09, Part (A) (1), first sub-paragraph.</p>												
<p>2. Mixture of carboxylic acids containing by weight about 79 % of azelaic acid, 20 % of other dibasic acids and 1 % of monobasic acids.</p>	3824 90 90	<p>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 3824, 3824 90 and 3824 90 90.</p> <p>The product is considered to be insufficiently pure to be classified in Chapter 29.</p>												
<p>3. Mixture of methyl esters of the fatty acids from rapeseed oil, with the following approximate distribution of fatty acids:</p> <table border="1" data-bbox="236 1048 581 1256"> <thead> <tr> <th colspan="2" data-bbox="409 1048 581 1077">% by weight</th> </tr> </thead> <tbody> <tr> <td data-bbox="236 1093 409 1122">C 16:0</td> <td data-bbox="409 1093 581 1122">4,8</td> </tr> <tr> <td data-bbox="236 1126 409 1155">C 18:0</td> <td data-bbox="409 1126 581 1155">1,6</td> </tr> <tr> <td data-bbox="236 1160 409 1189">C 18:1</td> <td data-bbox="409 1160 581 1189">60,6</td> </tr> <tr> <td data-bbox="236 1193 409 1223">C 18:2</td> <td data-bbox="409 1193 581 1223">20,9</td> </tr> <tr> <td data-bbox="236 1227 409 1256">C 18:3</td> <td data-bbox="409 1227 581 1256">8,7</td> </tr> </tbody> </table> <p>This mixture is used, in particular, as a bio-fuel.</p>	% by weight		C 16:0	4,8	C 18:0	1,6	C 18:1	60,6	C 18:2	20,9	C 18:3	8,7	3824 90 90	<p>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 3824, 3824 90 and 3824 90 90.</p>
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