Commission Implementing Regulation (EU) 2020/1702 of 10 November 2020 concerning the classification of certain goods in the Combined Nomenclature

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code[(1)], and in particular Article 57(4) and Article 58(2) thereof,

Whereas:

(1) In order to ensure uniform application of the Combined Nomenclature annexed to Council Regulation (EEC) No 2658/87[(2)], 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 laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also 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 provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.

(3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

(4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 34(9) of Regulation (EU) No 952/2013. That period should be set at three months.

(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 table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1702. (See end of Document for details)*

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 34(9) of Regulation (EU) No 952/2013 for a period of three months from the date of entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 November 2020.

For the Commission,

On behalf of the President,

Gerassimos THOMAS

Director-General

Directorate-General for Taxation and Customs Union

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1702. (See end of Document for details)*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
Cable winding system consisting of the following components: — a cable fitted with a connector (a plug) at one end for a voltage not exceeding 1 000 V; — a plastic cable winder equipped with a spring operated retractable mechanism (including a brake system to stop the winding), a brass contact system for transmission of electric current and plastic fittings. It is designed to be built into a vacuum cleaner. See images[a].	8544 42 90	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 3 to Section XVI and by the wording of CN codes, 8544, 8544 42 and 8544 42 90. Classification under heading 8508 as parts of vacuum cleaners is excluded as based on its objective characteristics the article is not identifiable as being solely or principally suitable for a vacuum cleaner. The article is a composite machine (its components are fitted together to form a whole) within the meaning of note 3 to Section XVI, consisting essentially of a cable fitted with a connector of heading 8544 and a winder of heading 8479. It is the cable that performs the principal function of the machine. The article is therefore to be classified under CN code 8544 42 90 as other electrical conductors, for a voltage not exceeding 1 000 V, fitted with connectors.

a The images are purely for information.