Commission Implementing Regulation (EU) 2017/2157 of 16 November 2017 amending Implementing Regulation (EU) No 211/2012 concerning the classification of certain goods in the Combined Nomenclature

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2157

of 16 November 2017

amending Implementing Regulation (EU) No 211/2012 concerning the classification of certain goods in the Combined Nomenclature

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 ('CN') annexed to Council Regulation (EEC) No 2658/87[(2)], it is necessary to adopt measures concerning the classification of certain goods.

(2) By Commission Implementing Regulation (EU) No 211/2012[(3)], a product consisting of a mixture of ethyl alcohol (70 % by weight) and gasoline (automotive petrol) conforming to EN 228 (30 % by weight) has been classified under CN code 2207 20 00.

(3) By Implementing Regulation (EU) No 626/2014[(4)], the Commission introduced an Additional note 12 to Chapter 22 of Part Two of the Combined Nomenclature. The reasons for classifying the product concerned by Implementing Regulation (EU) No 211/2012 under CN code 2207 20 00 should be aligned with the rules set out in that Additional note in order to avoid potential divergences in tariff classification of specific mixtures of ethyl alcohol with other substances and to ensure the uniform application of the Combined Nomenclature within the Union. The description of the product set out in the Annex to Implementing Regulation (EU) No 211/2012 should also make it clear that the product is used as raw material to produce fuels for motor vehicles.

(4) Implementing Regulation (EU) No 211/2012 should therefore be amended accordingly.

(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 Annex to Implementing Regulation (EU) No 211/2012 is replaced by the text set out in the Annex to this Regulation.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/2157. (See end of Document for details)*

Article 2

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, 16 November 2017.

For the Commission,

On behalf of the President,

Stephen QUEST

Director-General

Directorate-General for Taxation and Customs Union