Commission Implementing Regulation (EU) No 41/2013 of 17 January 2013 amending Regulation (EEC) No 441/91 concerning the classification of certain goods in the codes 17041019, 17041099 and 95021010 of the Combined Nomenclature and repealing Regulation (EEC) No 1287/83

COMMISSION IMPLEMENTING REGULATION (EU) No 41/2013

of 17 January 2013

amending Regulation (EEC) No 441/91 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 EUROPEAN COMMISSION,

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

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)], and in particular Article 9(1) (a) thereof,

Whereas:

(1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.

(2) In accordance with Commission Regulation (EEC) No 441/91 of 25 February 1991 concerning the classification of certain goods in codes 1704 10 19, 1704 10 99 and 9502 10 10 of the Combined Nomenclature and repealing Regulation (EEC) No 1287/83[(2)] plastic dolls with transparent plastic chests filled with small sweets have been classified under CN codes 1704 10 19 and 1704 10 99 as regards the sweets and under CN code 9502 10 10 as regards the dolls. As a consequence of the introduction of Note 4 to Chapter 95 of the Combined Nomenclature with effect from 1 January 2007, those items should be classified together as combinations having the essential character of a toy under CN code 9503 00 21.

(3) Regulation (EEC) No 441/91 should therefore be amended accordingly.

(4) 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 table set out in the Annex to Regulation (EEC) No 441/91 is replaced by the table set out in the Annex to this Regulation.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 41/2013. (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, 17 January 2013.

For the Commission, On behalf of the President,

Algirdas ŠEMETA

Member of the Commission