II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 441/2013

of 7 May 2013

amending or repealing certain regulations on the classification of goods in the Combined Nomenclature

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) Certain Commission Regulations concerning the classification of goods, adopted in order to ensure the uniform application of the Combined Nomenclature established by Regulation (EEC) No 2658/87, make reference to codes or notes which no longer exist or are no longer valid. They should, therefore, be amended, in order to take into account the appropriate codes and notes in force.

(2) The classification of goods laid down in certain other Regulations has become redundant or is no longer relevant or valid, owing, inter alia, to changes to the descriptions of goods and their related codes in the Harmonised System or in the Combined Nomenclature. Those Regulations should, therefore, be amended or repealed.

(3) 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 Regulations listed in column 2 of the table set out in Annex I to this Regulation are amended as specified in that Annex.

Article 2

The Regulation listed in column 2 of the table set out in Annex II to this Regulation is amended as specified in that Annex.

Article 3

The Regulations listed in Annex III to this Regulation are repealed.

Article 4

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, 7 May 2013.

For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission

[1] OJ L 256, 7.9.1987, p. 1.

ANNEX I

(referred to in Article 1)

In the following table, for the Regulations enumerated in column 2, the CN codes, notes, phrases or sentences set out in column 3 are replaced by the CN codes, notes, phrases or sentences set out in column 4.

No	Commission Regulation/Commission Implementing Regulation	Replace	By
(1)	(2)	(3)	(4)
1	(EEC) No 1669/77 (OJ L 186, 26.7.1977, p. 23):		
	in Article 1:	0207 36 11 0207 36 15	0207 45 10 0207 55 10 0207 60 10
2	(EEC) No 3558/81 (OJ L 356, 11.12.1981, p. 28):		
	in Article 1:	7117 19 91	7117 19 00
	(EEC) No 1220/84 (OJ L 117, 3.5.1984, p. 20):		
3	(a) in Article 1(1):	9405 91 11	9405 91 10
4	(b) in Article 1(2):	9405 91 11	9405 91 10
5	(c) in Article 1(3):	9405 91 11	9405 91 10
6	(EEC) No 1030/86 (OJ L 95, 10.4.1986, p. 13):		
	in Article 1:	7326 20 80	7326 20 00
7	(EEC) No 2275/88 (OJ L 200, 26.7.1988, p. 10):		
	in point 1 of the table set out in the Annex:		
	(a) in column (2):	1008 90 90	1008 90 00
	(b) in column (3):	1008 90 90	1008 90 00
		1104 29 18	1104 29 17
8	(EEC) No 1260/89 (OJ L 126, 9.5.1989, p. 12):		
	in the second point of the table set out in the Annex:		
	(a) in column (2):	2930 90 85	2930 90 99
	(b) in column (3):	2930 90 85	2930 90 99
	(EEC) No 2061/89 (OJ L 196, 12.7.1989, p. 5):		
9	(a) in point 1 of the table set out in the Annex, in column (3):	… Notes to CN code 2106)	… Note to heading 21.06

(1)	(2)	(3)	(4)
10	(b) in point 2 of the table set out in the Annex, in column (3):	… Notes to CN code 2106)	… Note to heading 21.06
11	(c) in point 3 of the table set out in the Annex, in column (3):	… Notes to CN code 2106)	… Note to heading 21.06
12	(d) in point 4 of the table set out in the Annex, in column (3):	… Notes to CN code 2106)	… Note to heading 21.06
13	(e) in point 5 of the table set out in the Annex:		
	(i) in column (2):	3004 50 10	3004 50 00
	(ii) in column (3):	3004 50 10	3004 50 00
14	(f) in point 6 of the table set out in the Annex:		
	(i) in column (2):	3004 90 19	3004 90 00
	(ii) in column (3):	3004 90 19 in DA, DE, ES, FI, FR, IT, NL and PT 3004 90 91 in BG, CS, EN, EL, ET, HU, LV, LT, MT, PL, RO, SK, SL and SV	3004 90 00
15	(EEC) No 2141/89 (OJ L 205, 18.7.1989, p. 22):		
	in Article 1(2):	4810 14 80 or 4810 19 90	4810 14 00 or 4810 19 00
16	(EEC) No 3482/89 (OJ L 338, 22.11.1989, p. 9):		
	in point 1 of the table set out in the Annex:		
	(a) in column (2):	0305 30 90	0305 32 90
	(b) in column (3):	0305 30	0305 32
		0305 30 90	0305 32 90
		0305 30 11 to 0305 30 90	0305 31 00 to 0305 39 90
		0304 21 00 to 0304 29 99	0304 61 00 to 0304 89 90
17	(EEC) No 650/90 (OJ L 71, 17.3.1990, p. 11):		
	in point 1 of the table set out in the Annex:		
	(a) in column (2):	4602 19 91	4602 19 90
	(b) in column (3):	4602 19 91	4602 19 90

(1)	(2)	(3)	(4)
	(EEC) No 3044/90 (OJ L 292, 24.10.1990, p. 5):		
18	(a) in point 2 of the table set out in the Annex, in column (1):	… Directive 72/199/EEC of 27 April 1972, Annex I(1) and (2) (OJ L 123, 29.5.1972, p. 6).	… Regulation (EC) No 152/2009, Annex III, parts L and C respectively.
		… Directive 71/393/EEC of 18 November 1971, Annex: Section 4 (method A) and Section 1, respectively. (OJ L 279, 20.12.1971, p. 7).	… Regulation (EC) No 152/2009, Annex III, parts H and A respectively
19	(b) in point 3 of the table set out in the Annex, in column (1):	… Directive 72/199/EEC of 27 April 1972, Annex I(1) and (2) (OJ L 123, 29.5.1972, p. 6).	… Regulation (EC) No 152/2009, Annex III, parts L and C respectively.
		… Directive 71/393/EEC of 18 November 1971, Annex: Section 4 (method A) and Section 1, respectively. (OJ L 279, 20.12.1971, p. 7).	… Regulation (EC) No 152/2009, Annex III, parts H and A respectively
20	(c) in point 4 of the table set out in the Annex, in column (1):	… Directive 72/199/EEC of 27 April 1972, Annex I(1) and (2) (OJ L 123, 29.5.1972, p. 6).	… Regulation (EC) No 152/2009, Annex III, parts L and C respectively.
		… Directive 71/393/EEC of 18 November 1971, Annex: Section 4 (method A) and Section 1, respectively. (OJ L 279, 20.12.1971, p. 7).	… Regulation (EC) No 152/2009, Annex III, parts H and A respectively
21	(EEC) No 442/91 (OJ L 52, 27.2.1991, p. 11):		
	in point 3 of the table set out in the Annex:		
	(a) in column (2):	4602 19 91	4602 19 90
	(b) in column (3):	4602 19 91	4602 19 90
22	(EEC) No 1214/91 (OJ L 116, 9.5.1991, p. 44):		
	in point 2 of the table set out in the Annex:		
	(a) in column (2):	3907 99 19 or 3907 99 98	3907 99 90
	(b) in column (3):	3907 99 19 or 3907 99 98	3907 99 90
23	(EEC) No 2084/91 (OJ L 193, 17.7.1991, p. 16):		
	in point 1 of the table set out in the Annex:		
	(a) in column (2):	2309 90 95	2309 90 96
	(b) in column (3):	2309 90 95	2309 90 96

(1)	(2)	(3)	(4)
	(EEC) No 509/92 (OJ L 55, 29.2.1992, p. 80):		
24	(a) in point 1 of the table set out in the Annex, in column (1):	… contained in Annex I.1 to Commission Directive 72/199/EEC [1]	… set out in Commission Regulation (EC) No 152/2009, Annex III, part L
		… contained in Annex I.2 to Commission Directive 72/199/EEC	… set out in Commission Regulation (EC) No 152/2009, Annex III, part C
		… method A contained in Annex I to Commission Directive 84/4/EEC [2]	… the method set out in Commission Regulation (EC) No 152/2009, Annex III, part H
25	(b) in point 2 of the table set out in the Annex:		
	(i) in column (2):	2309 90 99	2309 90 96
	(ii) in column (3):	2309 90 99	2309 90 96
26	(EEC) No 1533/92 (OJ L 162, 16.6.1992, p. 5):		
	in point 4 of the table set out in the Annex:		
	(a) in column (2):	2309 90 99	2309 90 96
	(b) in column (3):	2309 90 99	2309 90 96
27	(EC) No 731/93 (OJ L 75, 30.3.1993, p. 7):		
	in the table set out in the Annex, in column (3):	… heading CN 0307.	… CN code 0307 or 0308.
28	(EC) No 3295/93 (OJ L 296, 1.12.1993, p. 43):		
	in point 2 of the table set out in the Annex, in column (3):	… note 7(c) ….	… note 7(d) …
29	(EC) No 1785/94 (OJ L 186, 21.7.1994, p. 20):		
	in point 1 of the table set out in the Annex:		
	(a) in column (2):	2614 00 10	2614 00 00
	(b) in column (3):	2614 00 10	2614 00 00
30	(EC) No 1966/94 (OJ L 198, 30.7.1994, p. 103):		
	in point 2 of the table set out in the Annex:		
	(a) in column (2):	5705 00 90	5705 00 80
	(b) in column (3):	5705 00 90	5705 00 80

(1)	(2)	(3)	(4)
31	(EC) No 3176/94 (OJ L 335, 23.12.1994, p. 56): in the table set out in the Annex: (a) in column (1): (b) in column (2): (c) in column (3):	 …, not suitable for regular laundering, … 6307 90 99 6307 90 99	 …, not normally suitable for laundering, … 6307 90 98 6307 90 98
32	(EC) No 2696/95 (OJ L 280, 23.11.1995, p. 17): in point 2 of the table set out in the Annex: (a) in column (2): (b) in column (3):	 2309 90 99 2309 90 99	 2309 90 96 2309 90 96
33	(EC) No 2802/95 (OJ L 291, 6.12.1995, p. 5): in point 1 of the table set out in the Annex: (a) in column (2): (b) in column (3):	 3004 90 19 … 3004, 3004 90 and 3004 90 19. …	 3004 90 00 … 3004 and 3004 90 00. …
34	(EC) No 214/96 (OJ L 28, 6.2.1996, p. 7): in point 1 of the table set out in the Annex: (a) in column (2): (b) in column (3):	 0905 00 00 0905 00 00	 0905 10 00 0905 10 00
35	(EC) No 241/96 (OJ L 31, 9.2.1996, p. 14): in the table set out in the Annex: (a) in column (2): (b) in column (3):	 9018 90 85 9018 90 85	 9018 90 84 9018 90 84
36	(EC) No 902/96 (OJ L 122, 22.5.1996, p. 1): in point 1 of the table set out in the Annex, in column (3):	 8708 90 90 in BG, CS, EN, ET, LT, LV, MT, PL, SK and SL	 8708 93 90

(1)	(2)	(3)	(4)
37	(EC) No 2494/96 (OJ L 338, 28.12.1996, p. 38): in the table set out in the Annex: (a) in column (2): (b) in column (3):	 3215 90 80 3215 90 80	 3215 90 00 3215 90 00
38	(EC) No 4/97 (OJ L 3, 7.1.1997, p. 1): in the table set out in the Annex, in column (3):	 … note 1(d) …	 … note 1(e) …
39	(EC) No 2510/97 (OJ L 345, 16.12.1997, p. 45): in point 2 of the table set out in the Annex: (a) in column (2): (b) in column (3):	 1104 29 11 1104 29 19	 1104 29 17 1104 29 17
40	(EC) No 169/1999 (OJ L 19, 26.1.1999, p. 6): in point 7 of the table set out in the Annex: (a) in column (2): (b) in column (3):	 3707 90 30 3707 90 30	 3707 90 20 3707 90 20
41	(EC) No 1218/1999 (OJ L 148, 15.6.1999, p. 9): in point 6 of the table set out in the Annex: (a) in column (2): (b) in column (3):	 6306 91 00 6306 91 00	 6306 90 00 6306 90 00
42	(EC) No 1529/1999 (OJ L 178, 14.7.1999, p. 10): in point 3 of the table set out in the Annex: (a) in column (2): (b) in column (3):	 6307 90 99 … Note 7(e) … … 6307 90 99. …	 6307 90 98 … note 7(f) … … 6307 90 98. …
43	(EC) No 710/2000 (OJ L 84, 5.4.2000, p. 8): in point 4 of the table set out in the Annex: (a) in column (2): (b) in column (3):	 2005 99 90 2005 99 90	 2005 99 80 2005 99 80

(1)	(2)	(3)	(4)
	(EC) No 738/2000 (OJ L 87, 8.4.2000, p. 10):		
44	(a) in point 3 of the table set out in the Annex:		
	(i) in column (2):	8705 90 90	8705 90 80
	(ii) in column (3):	8705 90 90	8705 90 80
45	(b) in point 5 of the table set out in the Annex:		
	(i) in column (2):	8428 90 95	8428 90 90
	(ii) in column (3):	8428 90 95	8428 90 90
46	(c) in point 6 of the table set out in the Annex:		
	(i) in column (2):	8428 90 95	8428 90 90
	(ii) in column (3):	8428 90 95	8428 90 90
47	(EC) No 1508/2000 (OJ L 174, 13.7.2000, p. 3):		
	in point 4 of the table set out in the Annex:		
	(a) in column (2):	9504 10 00	9504 50 00
	(b) in column (3):	9504 10 00	9504 50 00
48	(EC) No 1564/2000 (OJ L 180, 19.7.2000, p. 5):		
	in point 2 of the table set out in the Annex, in column (3):	… Note 7(e) …	… note 7(f) …
49	(EC) No 2354/2000 (OJ L 272, 25.10.2000, p. 10):		
	in the table set out in the Annex:		
	(a) in column (2):	2309 90 99	2309 90 96
	(b) in column (3):	2309 90 99	2309 90 96
50	(EC) No 305/2001 (OJ L 44, 15.2.2001, p. 22):		
	in point 2 of the table set out in the Annex:		
	(a) in column (2):	6914 90 10	6914 90 00
	(b) in column (3):	6914, 6914 90 and 6914 90 10	6914 and 6914 90 00

(1)	(2)	(3)	(4)
51	(EC) No 471/2002 (OJ L 75, 16.3.2002, p. 13): in point 5 of the table set out in the Annex:		
	(a) in column (2):	6306 91 00	6306 90 00
	(b) in column (3):	… notes 7(e) … … 6306 91 00. Ohr …	… notes 7(f) … … 6306 90 00. Other …
52	(EC) No 763/2002 (OJ L 117, 4.5.2002, p. 3): in the table set out in the Annex:		
	(a) in column (2):	3917 32 99	3917 32 00
	(b) in column (3):	3917 32 99 in BG, CS DA, DE, EL, EN, ES, ET, FI, FR, HU, IT, LV, LT, MT, NL, PL, PT, RO, SK, SL, 3917 39 99 in SV	3917 32 00
53	(EC) No 1017/2002 (OJ L 155, 14.6.2002, p. 23): in point 2 of the table set out in the Annex:		
	(a) in column (2):	6307 90 99	6307 90 98
	(b) in column (3):	… and (e) … in BG, DA, DE, EL, EN, ES, ET, FI, FR, HU, IT, LV, LT, MT, NL, PL, PT, RO, SK, SL, SV … písm. c) … in CS only … 6307 90 99. …	… and (f) … in BG, DA, DE, EL, EN, ES, ET, FI, FR, HU, IT, LV, LT, MT, NL, PL, PT, RO, SK, SL, SV … písm. a) a f) … in CS only … 6307 90 98. …
54	(EC) No 627/2003 (OJ L 90, 8.4.2003, p. 34): in point 1 of the table set out in the Annex:		
	(a) in column (2):	2005 99 90	2005 99 80
	(b) in column (3):	2005 99 90	2005 99 80
55	(EC) No 2345/2003 (OJ L 346, 31.12.2003, p. 41): in the table set out in the Annex, in column (3):	… note 7(e) …	… note 7(f) …

(1)	(2)	(3)	(4)
56	(EC) No 231/2004 (OJ L 39, 11.2.2004, p. 15): in the table set out in the Annex: (a) in column (2): (b) in column (3):	2710 19 41 2710 19 41 … subheading 2710 19 41 (…	2710 19 43 2710 19 46 2710 19 47 2710 19 43, 2710 19 46 and 2710 19 47 … CN codes 2710 19 43, 2710 19 46 and 2710 19 47 (…
57 58	(EC) No 926/2004 (OJ L 163, 30.4.2004, p. 105): (a) in point 1 of the table set out in the Annex, in column (3): (b) in point 2 of the table set out in the Annex, in column (3):	… Notes 7(f) … … Note 7(e) …	… notes 7(g) … … note 7(f) …
59	(EC) No 1414/2004 (OJ L 257, 4.8.2004, p. 4): in the table set out in the Annex: (a) in column (2): (b) in column (3):	3004 90 19 3004, 3004 90 and 3004 90 19	3004 90 00 3004 and 3004 90 00
60	(EC) No 1559/2004 (OJ L 283, 2.9.2004, p. 9): in the table set out in the Annex, in column (3):	… note 7(e) …	… note 7(f) …
61	(EC) No 634/2005 (OJ L 106, 27.4.2005, p. 7): in point 1 of the table set out in the Annex: (a) in column (2): (b) in column (3):	8518 40 89 8518 40 89	8518 40 80 8518 40 80
62	(EC) No 1199/2005 (OJ L 195, 27.7.2005, p. 3): in point 2 of the table set out in the Annex: (a) in column (2): (b) in column (3):	4412 99 70 4412 99 70	4412 99 40 4412 99 40

(1)	(2)	(3)	(4)
63	(EC) No 1967/2005 (OJ L 316, 2.12.2005, p. 7): in point 3 of the table set out in the Annex:		
	(a) in column (2):	3917 32 39	3917 32 00
	(b) in column (3):	3917, 3917 32 and 3917 32 39	3917 and 3917 32 00
64	(EC) No 338/2006 (OJ L 55, 25.2.2006, p. 3): in the table set out in the Annex, in column (3):	… note 7(c) …	… note 7(d) …
65	(EC) No 166/2007 (OJ L 52, 21.2.2007, p. 3): in point 5 of the table set out in the Annex:		
	(a) in column (2):	8705 90 90	8705 90 80
	(b) in column (3):	8705 90 90	8705 90 80
66	(EC) No 324/2007 (OJ L 85, 27.3.2007, p. 5): in point 2 of the table set out in the Annex:		
	(a) in column (2):	9504 90 90	9504 90 80
	(b) in column (3):	9504 90 90	9504 90 80
67	(EC) No 901/2007 (OJ L 196, 28.7.2007, p. 31): in the table set out in the Annex:		
	(a) in column (2):	1212 99 70	1212 99 95
	(b) in column (3):	1212 99 70	1212 99 95
68	(EC) No 323/2008 (OJ L 98, 10.4.2008, p. 3): in point 3 of the table set out in the Annex:		
	(a) in column (2):	1001 90 99	1001 99 00
	(b) in column (3):	1001, 1001 90 and 1001 90 99	1001 and 1001 99 00
69	(EC) No 1156/2008 (OJ L 310, 21.11.2008, p. 9): (a) in point 1 of the table set out in the Annex:		
	(i) in column (2):	8528 59 90	8528 59 40
	(ii) in column (3):	8528 59 90	8528 59 40

(1)	(2)	(3)	(4)
70	(b) in point 2 of the table set out in the Annex:		
	(i) in column (2):	8528 59 90	8528 59 40
	(ii) in column (3):	8528 59 90	8528 59 40
71	(EC) No 1172/2008 (OJ L 317, 27.11.2008, p. 4):		
	in point 1 of the table set out in the Annex:		
	(a) in column (2):	8528 59 90	8528 59 40
	(b) in column (3):	8528 59 90	8528 59 40
72	(EC) No 446/2009 (OJ L 132, 29.5.2009, p. 3):		
	in the table set out in the Annex:		
	(a) in column (2):	1202 20 00	1202 42 00
	(b) in column (3):	1202 20 00	1202 42 00
73	(EC) No 594/2009 (OJ L 178, 9.7.2009, p. 14):		
	in point 1 of the table set out in the Annex:		
	(a) in column (2):	3904 69 90	3904 69 80
	(b) in column (3):	3904 69 90	3904 69 80
74	(EU) No 692/2010 (OJ L 201, 3.8.2010, p. 23):		
	in point 2 of the table set out in the Annex:		
	(a) in column (2):	5705 00 90	5705 00 80
	(b) in column (3):	5705 00 90	5705 00 80
75	(EU) No 716/2010 (OJ L 210, 11.8.2010, p. 22):		
	in the table set out in the Annex:		
	(a) in column (2):	8539 32 10	8539 32 20
	(b) in column (3):	8539 32 10	8539 32 20
	(EU) No 731/2010 (OJ L 214, 14.8.2010, p. 2):		
76	(a) in point 1 of the table set out in the Annex:		
	(i) in column (2):	8523 40 51	8523 49 51
	(ii) in column (3):	… 8523 40 and 8523 40 51 …	… 8523 49 and 8523 49 51 …
		… 8523 40 51.	… 8523 49 51.

(1)	(2)	(3)	(4)
77	(b) in point 2 of the table set out in the Annex:		
	(i) in column (2):	9405 10 28	9405 10 40
	(ii) in column (3):	9405 10 28	9405 10 40
78	(EU) No 1066/2010 (OJ L 304, 20.11.2010, p. 9):		
	in the table set out in the Annex:		
	(a) in column (2):	8518 40 89	8518 40 80
	(b) in column (3):	8518 40 89	8518 40 80
79	(EU) No 756/2011 (OJ L 199, 2.8.2011, p. 35):		
	in the table set out in the Annex:		
	(a) in column (2):	1604 19 98	1604 19 97
	(b) in column (3):	1604 19 98	1604 19 97
80	(EU) No 762/2011 (OJ L 200, 3.8.2011, p. 4):		
	in the table set out in the Annex:		
	(a) in column (2):	7317 00 90	7317 00 80
	(b) in column (3):	7317 00 90	7317 00 80
81	(EU) No 873/2011 (OJ L 227, 2.9.2011, p. 5):		
	in the table set out in the Annex, in column (3):	… note 7(e) …	… note 7(f) …
82	(EU) No 297/2012 (OJ L 99, 5.4.2012, p. 9):		
	in the table set out in the Annex, in column (3):	… Note 7(e) …	… note 7(f) …
83	(EU) No 298/2012 (OJ L 99, 5.4.2012, p. 12):		
	in the table set out in the Annex, in column (3):	… Note 7(e) …	… note 7(f) …
84	(EU) No 401/2012 (OJ L 124, 11.5.2012, p. 15):		
	in NL, only:		
	'in de tabel in de bijlage, in kolom 3:'	6505 90 00	6505 00 90

ANNEX II

(referred to in Article 2)

In the following table, the point contained in the Regulation listed in column 2 is deleted.

No	Commission Regulation
(1)	(2)
1	point 3 of the table set out in the Annex to Commission Regulation (EC) No 1308/96 (OJ L 167, 6.7.1996, p. 19).

ANNEX III

(referred to in Article 3)

No	Commission Regulation/Commission Implementing Regulation
(1)	(2)
1	(EEC) No 2858/86 (OJ L 265, 17.9.1986, p. 5).
2	(EEC) No 313/90 (OJ L 35, 7.2.1990, p. 7).
3	(EC) No 977/2008 (OJ L 266, 7.10.2008, p. 8).
4	(EU) No 1302/2011 (OJ L 330, 14.12.2011, p. 15).