

COMMISSION REGULATION (EEC) No 3402/82
of 17 December 1982
on the classification of goods under subheading 38.19 X of the Common
Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 3 thereof,

Whereas to ensure uniform application of the nomenclature of the Common Customs Tariff, provision should be made for the tariff classification of a base preparation for chewing gum, in the form of cylindrical pieces consisting (by weight) of 34 % butyl rubber, 15 % polyethylene, 13 % poly(vinyl acetate), 28 % vegetable resin and 10 % calcium carbonate ;

Whereas heading No 38.19 of the Common Customs Tariff, annexed to Council Regulation (EEC) No 950/68⁽²⁾, as last amended by Regulation (EEC) No 3000/82⁽³⁾ includes *inter alia* preparations of the chemical and allied industries not elsewhere specified or included ;

Whereas the product in question has the characteristics of a preparation of the chemical or allied industries ;

Whereas, in the absence of a more specific heading, it must be classified in heading No 38.19 ; whereas, within that heading, subheading 38.19 X is appropriate ;

Whereas the provisions of this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION :

Article 1

Base preparations for chewing gum, in the form of cylindrical pieces consisting (by weight) of 34 % butyl rubber, 15 % polyethylene, 13 % poly(vinyl acetate), 28 % vegetable resin and 10 % calcium carbonate shall be classified in the Common Customs Tariff under subheading :

38.19 Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included ; residual products of the chemical or allied industries, not elsewhere specified or included :

X. Other.

Article 2

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, 17 December 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 318, 15. 11. 1982, p. 1.