

## UNIFORM APPLICATION OF THE COMBINED NOMENCLATURE (NC)

## (Classification of goods)

(2000/C 182/03)

**Publication of explanatory notes made in accordance with Article 10(1) of Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff <sup>(1)</sup> as last amended by Regulation (EC) No 1264/2000 <sup>(2)</sup>**

The 'Explanatory Notes to the Combined Nomenclature of the European Communities' <sup>(3)</sup> are amended as follows:

Page 280:

The following text shall be added after the wording for heading 6402:

'This heading includes "footwear involving special technology" and designed for sporting activity, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb impacts due to vertical or lateral movements, and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact, or special materials such as low-density polymers.

"Footwear designed for sporting activity" should be taken to mean tennis shoes, basketball shoes, gym shoes, training shoes and the like, with the exception of, for example, footwear worn mainly or exclusively for white water canoeing, walking, trekking, hiking, or mountain climbing.

Shoes which because of their size are meant to be worn by children and young people can also be "footwear designed for sporting activity".

In this context the following definitions shall apply:

- (a) "single- or multi-layer moulded soles" means preformed soles manufactured independently of the shoe by casting (e.g. injection moulding or centrifugal casting), moulding (e.g. compression moulding) or fusion; they are generally attached to the uppers by glueing or sewing, or by a combination of the two, but not by injection;
- "single-moulded sole" refers to shoes consisting of an upper and an outer sole,
  - "multi-layer moulded sole" refers to shoes consisting of an upper, a midsole (for the full or partial length of the shoe) and an outer sole,
  - where "moulded" refers to that part of the sole whose shape is defined by a mould,
  - "not injected" refers to shoes whose mid or single sole (as appropriate) is manufactured separately from the upper, then subsequently attached to the upper by, for example, gluing or sewing or a combination of the two; such shoes contrast with those mid or single sole (as appropriate) has been attached to the upper by means of the injection of synthetic materials into a mould one part of which comprises the upper.

Except as expressly stated above, the term "not injected" does not serve to exclude shoes whose manufacture otherwise involves the use of some injection technology.

- (b) "mechanical components" refer to those parts of a shoe, other than the fastening device, which provide stability for the foot;
- (c) "low-density polymers" means materials with a density of less than 0,6 g/cm<sup>3</sup>.

<sup>(1)</sup> OJ L 256 of 7.9.1987, p. 1.

<sup>(2)</sup> OJ L 144 of 17.6.2000, p. 6.

<sup>(3)</sup> OJ C 287 of 15.9.1998, p. 1.

Page 280:

The following text shall be added as second paragraph after the wording for heading 6403:

'The Explanatory Notes to heading 6402 as far as "footwear involving special technology" is concerned apply *mutatis mutandis*.'

Page 281:

The following text shall be added after the wording for heading 6404:

'This heading includes "footwear involving special technology" and designed for sporting activity, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb impacts due to vertical or lateral movements, and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact, or special materials such as low-density polymers.

"Footwear designed for sporting activity" should be taken to mean the shoes mentioned in subheading note 1 to Chapter 64 and tennis shoes, basketball shoes, gym shoes, training shoes and the like, with the exception of, for example, footwear worn mainly or exclusively for white water canoeing, walking, trekking, hiking or mountain climbing.

Shoes which because of their size are meant to be worn by children and young people can also be "footwear designed for sporting activity".

In this context the following definitions shall apply:

(a) "single- or multi-layer moulded soles" means preformed soles manufactured independently of the shoe by casting (e.g. injection moulding or centrifugal casting), moulding (e.g. compression moulding) or fusion; they are generally attached to the uppers by glueing or sewing, or by a combination of the two, but not by injection;

— "single moulded sole" refers to shoes consisting of an upper and an outer sole,

— "multi-layer moulded sole" refers to shoes consisting of an upper, a midsole (for the full or partial length of the shoe) and an outer sole,

— where "moulded" refers to that part of the sole whose shape is defined by a mould;

— "not injected" refers to shoes whose mid or single sole (as appropriate) is manufactured separately from the upper, then subsequently attached to the upper by, for example, glueing or sewing or a combination of the two; such shoes contrast with those whose mid or single sole (as appropriate) has been attached to the upper by means of the injection of synthetic materials into a mould one part of which comprises the upper.

Except as expressly stated above, the term "not injected" does not serve to exclude shoes whose manufacture otherwise involves the use of some injection technology.

(b) "mechanical components" refer to those parts of a shoe, other than the fastening device, which provide stability for the foot.

(c) "low-density polymers" means materials with a density of less than 0,6 g/cm<sup>3</sup>.'