

**COMMISSION REGULATION (EC) No 1020/2003**  
**of 13 June 2003**  
**concerning the classification of certain goods in the Combined Nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2176/2002<sup>(2)</sup>, and in particular Article 9(1) 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) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex to this Regulation should be classified under the CN code indicated in column 2, by virtue of the reasons set out in column 3.
- (4) It is appropriate to provide that, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of imports of textile products into the Community, binding tariff information issued by the customs authorities of Member States in respect of the

classification of goods in the Combined Nomenclature and which is not in accordance with this Regulation, can continue to be invoked by the holder for a period of 60 days, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code<sup>(3)</sup>, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council<sup>(4)</sup>.

- (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 goods described in column 1 of the table set out in the Annex shall be classified in the Combined Nomenclature in the corresponding CN code indicated in column 2 of that table.

*Article 2*

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of imports of textile products into the Community, binding tariff information issued by the customs authorities of Member States which is not in accordance with this Regulation, can continue to be invoked for a period of 60 days, under Article 12(6) of Regulation (EEC) No 2913/92.

*Article 3*

This Regulation shall enter into force on the 20th 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, 13 June 2003.

*For the Commission*  
Frederik BOLKESTEIN  
*Member of the Commission*

<sup>(1)</sup> OJ L 256, 7.9.1987, p. 1.  
<sup>(2)</sup> OJ L 331, 7.12.2002, p. 3.

<sup>(3)</sup> OJ L 302, 19.10.1992, p. 1.  
<sup>(4)</sup> OJ L 311, 12.12.2000, p. 17.

## ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>A self-coloured cover, suitable for laundering (approximately 73 cm x 42 cm), made from a multi-layer quilted textile product, the outer layer consisting of a woven fabric (65 % polyester, 25 % cotton and 10 % polypropylene), the middle layer of wadding and the inner layer of a self-coloured non-woven fabric (100 % polypropylene). It has a zip fastener to allow it to be filled.</p> <p>(pillowcase)</p> <p>(See photograph no 627) (*)</p>	6302 32 90	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, notes 2(A) and 7 to section XI, subheading note 2(A) to section XI, note 1 to chapter 63 and the wording of CN codes 6302, 6302 32 and 6302 32 90.</p> <p>The multi-layer quilted textile is made up of a product of heading 5811. See also the Harmonised System explanatory notes to heading 5811.</p> <p>This article is considered to be bed linen within the meaning of heading 6302. See also the Harmonised System explanatory notes to heading 6302 (1) which include pillowcases into heading 6302.</p> <p>Classification under heading 9404 (articles of bedding) is ruled out, since this article is neither stuffed nor internally fitted with any material. See also the Harmonised System explanatory notes to heading 9404 (B). Moreover, the Harmonised System explanatory notes to heading 9404 (e) exclude pillowcases and assign them to heading 6302.</p>

(\*) The photographs are purely for illustration.

