



Sayı: 53654767-TİM.00.GSK.MVZ.2016/335-2175
Konu: AB Mevzuat Değişikliği

İstanbul, 02/08/2016

2016/933

Description of goods	Classification (CN Code)	Reasons
(1)	(2)	(3)
<p>A product in the form of a yellow powder with a scent of banana, consisting of:</p> <ul style="list-style-type: none"> — enzymatically hydrolysed whey protein isolate (90 % by weight expressed in proteins), — soy lecithin (emulsifier), — natural banana flavour, — E 104 (colouring agent), and — sucralose (sweetening agent). <p>The product is put up for retail sale in a plastic container with a net content of 1,8 kg.</p> <p>The product is intended to be mixed with beverages. According to the label, one measuring spoon (30 g) has to be mixed with around 3 dl of water or milk.</p>	2106 90 92	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 2106 , 2106 90 and 2106 90 92 .</p> <p>The product contains hydrolysed proteins and therefore cannot be classified under heading 3502 .</p> <p>The product cannot be classified under heading 3504 due to the presence of some ingredients (inter alia, sweetening, colouring and emulsifying agents) which provide the character of a food preparation within the scope of heading 2106 .</p> <p>The product is a food preparation, put up for retail sale and is therefore to be classified under CN code 2106 90 92 .</p>



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2016/934

Description of goods	Classification (CN Code)	Reasons
(1)	(2)	(3)
<p>A product consisting of the following components, packed as a set:</p> <ul style="list-style-type: none"> — A rectangular cut-out (approx. 14 × 21 cm) made of a plastic film of two layers, printed on the front with black-and-white motifs. The cut-out is fitted with a self-adhesive strip on the back. From this cut-out, six pre-cut, raised stickers (the top plastic film is in relief) can be peeled off. — Three porous-tipped felt pens in different colours. The felt pens are packed together in a small plastic package. <p>The stickers are to be coloured in with the felt pens and then used for decoration purposes.</p> <p>See image (1).</p>	4911 91 00	<p>Classification is determined by general rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, Note 2 to Section VII of the Combined Nomenclature and the wording of CN codes 4911 and 4911 91 00 .</p> <p>The product is presented as a set for retail sale. Its essential character is given by the stickers.</p> <p>Classification under heading 3919 is excluded as the shape of the pre-cut, raised stickers is not flat.</p> <p>Classification under heading 3926 is excluded as the printing is not merely incidental to the primary use of the goods (see Note 2 to Section VII).</p> <p>Chapter 49 covers, with a few exceptions, all printed matter of which the essential nature and use is determined by the fact of it being printed with motifs, characters or pictorial representations (see also the Harmonized System Explanatory Notes (HSEN) to Chapter 49, General, first paragraph).</p> <p>Self-adhesive printed stickers designed to be used for decoration are covered by heading 4911 (see also the HSEN to heading 4911 , point (10)).</p> <p>Therefore, the product is to be classified in CN code 4911 91 00 .</p>

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2016/936

Description of goods	Classification (CN Code)	Reasons
(1)	(2)	(3)
<p>A product put up for retail sale in gelatine capsules, one capsule consisting of (mg):</p> <p>— simethicone: 257,5</p> <p>— gelatine, glycerol, dimethicone, titanium dioxide (E 171), potassium sorbate, food colourants E 110 and E 122: approx. 196</p> <p>The product soothes stomach pain and prevents bloating and flatulence. According to its label, the product is presented for human consumption with a recommended daily dose of one to two capsules after each main meal of the day.</p>	3004 90 00	<p>Classification is determined by the general rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 1(f) to Chapter 21 and the wording of CN codes 3004 and 3004 90 00 .</p> <p>The product, due to the presence of simethicone, has therapeutic properties. Its classification under heading 2106 as a food preparation not elsewhere specified or included is therefore excluded (see Note 1(f) to Chapter 21).</p> <p>The product is put up for retail sale in measured doses and exhibits clearly defined prophylactic or therapeutic properties, e.g. against functional dyspepsia.</p> <p>The product is therefore to be classified as a medicament put up in measured doses for retail sale in CN code 3004 90 00 .</p>