



HARMONIZED SYSTEM  
COMMITTEE

-  
26<sup>th</sup> Session  
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NC0293E1

O. Eng.

Brussels, 26 September 2000.

AMENDMENT OF THE EXPLANATORY NOTE TO HEADING 22.06  
ARISING FROM THE CLASSIFICATION OF THE "SMIRNOFF MULE" BEVERAGE  
IN SUBHEADING 2208.90  
(Item VI.12 on Agenda)

Reference Documents :

NC0062E1 (HSC/23)  
NC0090E2, Annex IJ/29 (HSC/23 - Report)  
NC0160E2, Annex H/15 (HSC/24 - Report)  
NC0206E1 (HSC/25)  
NC0250E2, Annex H/8 (HSC/25 - Report)

I. BACKGROUND

1. At its 25<sup>th</sup> Session in March 2000, the Harmonized System Committee examined the classification of the "Smirnoff Mule" beverage. Since the "original" "Smirnoff Mule" beverage apparently no longer existed on the market, it was decided that it was not worthwhile continuing the examination of this product. As to the classification of the "new" "Smirnoff Mule", consisting of an aromatic compound and vodka, it was unanimously decided that this product should be classified in heading 22.08 (subheading 2208.90).
2. It was also decided that the Explanatory Note to heading 22.06 should be amended to reflect that, provided that they retained the character of products falling in the heading, fermented beverages fortified with alcohol were classified in heading 22.06.
3. To reflect this decision, the Secretariat was instructed to draft appropriate amendments to the Explanatory Note to heading 22.06 for consideration by the Committee at its 26<sup>th</sup> Session.

File No. 2765

II. SECRETARIAT COMMENTS

4. In accordance with the Committee's instructions, the Secretariat has prepared a draft amendment to the Explanatory Note to heading 22.06, set out in the Annex hereto.

III. CONCLUSION

5. The Committee is invited to approve the proposed amendment to the Explanatory Notes set out in the Annex hereto, once it has been finalized by the preessional Working Party.

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Annexe au  
Annex to Doc. NC0293B1  
  
(CSH/26/nov. 2000)  
(HSC/26/Nov. 2000)

ANNEXE

MODIFICATION DES NOTES EXPLICATIVES DU N° 22.06  
DECOULANT DU CLASSEMENT D'UNE BOISSON DENOMMEE "SMIRNOFF MULE"  
DANS LE N° 2208.90  
(Point VI.12 de l'ordre du jour)

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ANNEX

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MODIFICATION DES NOTES EXPLICATIVES  
A EFFECTUER PAR VOIE DE CORRIGENDUM

CHAPITRE 22.

Page 177. N° 22.06. Troisième alinéa. Deuxième phrase.

Remplacer par :

"Elles restent classées ici même si elles ont été additionnées d'alcool ou si leur teneur en alcool a été accrue par une seconde fermentation, pour autant qu'elles conservent le caractère des produits classés dans la présente position."

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AMENDMENTS TO THE EXPLANATORY NOTES  
TO BE MADE BY CORRIGENDUM

CHAPTER 22.

Page 177. Heading 22.06. Third paragraph. Second sentence.

Delete and substitute :

"They remain classified in the heading when fortified with added alcohol or when the alcohol content has been increased by further fermentation, provided that they retain the character of products falling in the heading."

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