



HARMONIZED SYSTEM
COMMITTEE

-
24th Session

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NC0105E1
(+ Annex)
O. Eng.

H5-12

Brussels, 7 September 1999.

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
ARISING FROM THE CLASSIFICATION OF "POM-BÄR" IN SUBHEADING 1905.90

(Item VI.1 on Agenda)

Reference documents :

42.066 (HSC/21)
42.100, Annex IJ/21 (HSC/21 - Report)
42.503 (HSC/22)
42.750, Annex H/2 (HSC/22 - Report)

I. BACKGROUND

1. At its 22nd Session (November 1998), the Harmonized System Committee examined the classification of "POM-BÄR – Potato Snacks" having the following compositions : potato powder (about 31%), vegetable oil, starch, modified starch, salt, sugar, emulsifier (lecithin), yeast extract and spice, fried in oil and ready for consumption. The snacks, which are put up in a packing (plastic bag) for retail sale, are yellowish and in the shape of bears.
2. The Committee decided, by 12 votes to 6, to classify "POM-BÄR" in heading 19.05 rather than in heading 20.05.
3. To reflect this decision the Secretariat was instructed to prepare a draft Classification Opinion for examination by the next preessional Working Party. (Following the decision taken by the Harmonized System Committee at its 22nd session to classify "POM-BÄR – Potato Snacks" in heading 19.05, the Swiss Administration entered a reservation against the decision. The Swiss Administration subsequently withdrew its reservation, and the Committee decided at its 23rd Session that the decision taken at its 22nd Session to classify "POM-BÄR – Potato Snacks" in heading 19.05 should be taken as deemed approved by the Council. See paragraphs 14 to 17 of Doc. NC0090E2 (HSC/23/May 99)).

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II. SECRETARIAT COMMENTS

4. Although the Committee did not decide on the classification at subheading level, the Secretariat is of the view that the snack food in question should be classified in subheading 1905.90. The Secretariat has therefore prepared a draft Classification Opinion for this subheading. Pending the Committee's decision on this subheading classification, the subheading references are retained in square brackets.
5. The draft Classification Opinion is set out in the Annex to this document.

III. CONCLUSION

6. The Committee is invited to approve the proposed text to amend the Compendium of Classification Opinions set out in the Annex once it has been finalized by the presessional Working Party.

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Annexe au Doc. NC0105B1
Annex to
(CSH/24/oct 99)
(HSC/24/Oct 99)

ANNEXE

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT DECOULANT
DU CLASSEMENT D'UN PRODUIT ALIMENTAIRE CROUSTILLANT
NON SUCRE DENOMME "POM-BÄR"
(Point VI.1 de l'ordre du jour)

ANNEX

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
ARISING FROM THE CLASSIFICATION OF "POM-BÄR" SNACK FOOD
(Item VI.1 on the Agenda)

MODIFICATION DU RECUEIL DES AVIS DE CLASSEMENT

Page 1a.

Insérer l'Avis de classement suivant :

"[1905.90] 3. **Produit alimentaire croustillant à base de pommes de terre**, présenté sous forme de petits animaux (ours) et conditionné pour la vente au détail, composé de poudre de pommes de terre (31 % environ), d'huile végétale, d'amidon, d'amidon modifié, de sel, de sucre, d'émulsifiant (lécithine), d'extrait de levure et d'épices, frit dans l'huile et prêt à la consommation."

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Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4
"[1905.90]	3	(*)	"POM-BÄR"

(*) Insérer le numéro de document du rapport correspondant.

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 1a.

Insert the following Classification Opinion :

"[1905.90] 3. **Crisp savoury potato snacks**, in the shape of bears and put up for retail sale, composed of potato powder (about 31 %), vegetable oil, starch, modified starch, salt, sugar, emulsifier (lecithin), yeast extract and spice, fried in oil and ready for consumption."

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Insert the following references :

Column 1	Column 2	Column 3	Column 4
"[1905.90]	3	(*)	"POM-BÄR"

(*) Insert the appropriate Report reference.