



HARMONIZED SYSTEM
COMMITTEE

-
25th Session
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NC0206E1

O. Eng.

Brussels, 10 February 2000.

CLASSIFICATION OF THE "SMIRNOFF MULE" BEVERAGE

(Item VIII.8 on Agenda)

Reference Documents :

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

I. BACKGROUND

1. When this item was discussed at the 24th Session of the Committee, one delegate was of the view that the examination of this item should be postponed to the next session in March 2000. In his view, important information in regard to the manufacturing process of this product was missing. The process of diluting ginger beer containing 12 - 14.5 % by volume of alcohol with water, to make a preparation containing 1.5 % by volume of alcohol, before fortifying it with Smirnoff Vodka to make the "Smirnoff Mule" beverage containing 5.5 % by volume of alcohol, had to be clarified. Information indicating the amount of vodka which had been added during this process should be obtained before taking a final decision on the classification of this important product.
2. It was therefore agreed that the Secretariat should prepare a new document for the next session setting out a detailed description of the production process.

II. SECRETARIAT ACTION

3. Acting on the Committee's instructions, the Secretariat contacted the manufacturer of the "Smirnoff Mule" (Cinzano European Wines and Brandies) in order to obtain their comments concerning the production process.
4. However, on 16 December 1999, the Secretariat received the following answer from UDV Operations Italy :

File No. 2765

“We would like to inform you that the formula of Smirnoff Mule beverage you are referring in your fax of 3 November 1999 has changed.

The ginger beer has been substituted with an aromatic compound. The product is then added with Smirnoff vodka to make the beverage contain 5.5 % alcohol by volume. The product is therefore classified within CN 2208 90 69.”

III. SECRETARIAT COMMENTS

5. From the above, it seems clear that the product described in Doc. NC0062E1, paragraph 3, no longer exists on the market. The Secretariat agrees with the manufacturer that the “new” “Smirnoff Mule”, consisting of an aromatic compound and vodka, should be classified in HS heading 22.08 (HS subheading 2208.90). Whether it is worthwhile continuing the examination of the original classification issue is questionable, but the Secretariat leaves it to the Committee to take the final decision in this respect.
6. However, since one delegate at the Committee’s last Session asked for further information as to the amount of vodka that had been added during the manufacturing process, the Secretariat has reproduced the information provided by the Polish Administration in its initial enquiry to the Secretariat :

Ingredients	Volume ml/Litre	Alcohol % Vol.	Grams/Litre	Alcohol in finished product
Ginger drink @ 1.5 % vol.	851.00	1.55		1.32
Vodka 40 %	104.50	40		4.18
Sugar dry Flavours	42.50 0.83	57	68	0.047
Citric acid	1.31		2.103	
Carestar caramel	0.18			
Finished product	1000.32			5.54

IV. CONCLUSION

7. The Committee is invited to examine the classification of the “Smirnoff Mule” beverage, taking into account the comments of the manufacturer and the Secretariat above, and to decide what further action should be taken in respect of this matter.
