

**EUROPEAN COMMUNITIES AND ITS MEMBER STATES – TARIFF TREATMENT
OF CERTAIN INFORMATION TECHNOLOGY PRODUCTS**

Status Report by the European Union¹

The following communication, dated 7 July 2011, from the delegation of the European Union to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 21.6 of the DSU.

Status Report Regarding Implementation of the
DSB Recommendations and Rulings in the Dispute
*European Communities and its Member States-Tariff Treatment of Certain Information
Technology Products*
(WT/DS375-WT/DS376-WT/DS377)

The European Union refers to the recommendations and rulings of the WTO Dispute Settlement Body with respect to the dispute *European Communities and its Member States-Tariff Treatment of Certain Information Technology Products* (WT/DS375-WT/DS376-WT/DS377). The European Union hereby informs the Dispute Settlement Body that it has adopted the measures necessary to comply with those recommendations and rulings. In particular:

- (a) Commission Implementing Regulation (EU) No. 620/2011 amending Annex I to Council Regulation (EEC) no 2658/78 on the tariff nomenclature and the Common Customs Tariff, published on the Official Journal of the European Union (hereinafter referred to as OJEU), L 166/16 of 25.06.2011);
- (b) Deletion of Explanatory Notes for CN codes 8521 90 00, 8528 71 13, 8528 71 19 and 8528 71 90 (2011/C 185/1, published on the OJEU C 185/1 of 25.06.2011); and
- (c) Statement adopted by the Customs Code Committee on 7 June 2011, and published on 29 June 2011, according to which the Statement on the classification of "multifunctional devices" agreed at the 360th meeting of the Customs Code Committee is to be disregarded.

¹ On 1 December 2009, the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community (done at Lisbon, 13 December 2007) entered into force. On 29 November 2009, the WTO received a Verbal Note (WT/L/779) from the Council of the European Union and the Commission of the European Communities stating that, by virtue of the Treaty of Lisbon, as of 1 December 2009, the European Union replaces and succeeds the European Community.

These measures relate to the tariff treatment of set top boxes and multifunctional machines. The European Union recalls that all the measures concerning flat panel displays that were examined by the panel were repealed in 2009 by means of Commission Regulation (EC) 1179/2009 of 26 November 2009 (OJEU L 317/1 of 3.12.2009) and the deletion of Explanatory Notes for CN codes 8528 41 00, 8528 49 10, 8528 49 35 to 8528 49 99, 8528 51 00 to 8528 59 90, 8528 51 00 and 8528 59 10 to 8528 59 90 (2009/C 268/05, published on the OJEU C 268/19 of 10.11.2009). Therefore, no further action is required to ensure compliance with the recommendations and rulings of the DSB.

Therefore, the adoption of the measures listed above ensures the full implementation of the DSB recommendations and rulings of the DSB in this dispute
