

Chapter 16

Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates

Notes.

- 1.- This Chapter does not cover meat, meat offal, fish, crustaceans, molluscs or other aquatic invertebrates, prepared or preserved by the processes specified in Chapter 2 or 3 or heading 05.04.
 - 2.- Food preparations fall in this Chapter provided that they contain more than 20 % by weight of sausage, meat, meat offal, blood, fish or crustaceans, molluscs or other aquatic invertebrates, or any combination thereof. In cases where the preparation contains two or more of the products mentioned above, it is classified in the heading of Chapter 16 corresponding to the component or components which predominate by weight. These provisions do not apply to the stuffed products of heading 19.02 or to the preparations of heading 21.03 or 21.04.
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Subheading Notes.

- 1.- For the purposes of subheading 1602.10, the expression "homogenised preparations" means preparations of meat, meat offal or blood, finely homogenised, put up for retail sale as infant food or for dietetic purposes, in containers of a net weight content not exceeding 250 g. For the application of this definition no account is to be taken of small quantities of any ingredients which may have been added to the preparation for seasoning, preservation or other purposes. These preparations may contain a small quantity of visible pieces of meat or meat offal. This subheading takes precedence over all other subheadings of heading 16.02.
- 2.- The fish, crustaceans, molluscs and other aquatic invertebrates specified in the subheadings of heading 16.04 or 16.05 under their common names only, are of the same species as those mentioned in Chapter 3 under the same name.

GENERAL

This Chapter covers prepared foodstuffs obtained by processing meat, meat offal (e.g., feet, skins, hearts, tongues, livers, guts, stomachs), blood, fish (including skins thereof), crustaceans, molluscs or other aquatic invertebrates. The Chapter covers such products which have been prepared or preserved by processes not provided for in Chapter 2 or 3 or heading 05.04, for example, products which have been :

- (1) Prepared as sausages or similar products.
- (2) Boiled, steamed, grilled, fried, roasted or otherwise cooked, **except** smoked fish and smoked crustaceans, molluscs or other aquatic invertebrates, which may have been cooked before or during smoking (**headings 03.05, 03.06, 03.07 and 03.08**), crustaceans, in shell, cooked by steaming or boiling in water (**heading 03.06**) and flours, meals and pellets, obtained from cooked fish and cooked crustaceans, molluscs or other aquatic invertebrates (**headings 03.05, 03.06, 03.07 and 03.08**, respectively).
- (3) Prepared or preserved in the form of extracts, juices or marinades, prepared from fish eggs as caviar or caviar substitutes, merely covered with batter or bread crumbs, truffled, seasoned (e.g., with both pepper and salt), etc.

- (4) Finely homogenised and based solely on products of this Chapter (i.e., prepared or preserved meat, meat offal, blood, fish or crustaceans, molluscs or other aquatic invertebrates). These homogenised preparations may contain a small quantity of visible pieces of meat, fish, etc., as well as a small quantity of ingredients added for seasoning, preservation or other purposes. However, homogenisation, by itself, does not qualify a product for classification as a preparation in Chapter 16.

For the distinctions to be drawn between the products of Chapters 2 and 3 on the one hand and of Chapter 16 on the other, see the General Explanatory Notes to Chapters 2 and 3.

This Chapter also covers food preparations (including so-called "prepared meals") consisting, e.g., of sausage, meat, meat offal, blood, fish or crustaceans, molluscs or other aquatic invertebrates together with vegetables, spaghetti, sauce, etc., **provided** they contain more than 20 % by weight of sausage, meat, meat offal, blood, fish or crustaceans, molluscs or other aquatic invertebrates, or any combination thereof. In cases where the preparation contains two or more of the products mentioned above (e.g., both meat and fish), it is classified in the heading of Chapter 16 corresponding to the component or components which predominate by weight. In all cases the weight to be considered is the weight of meat, fish, etc., in the preparation at the time it is presented and not the weight of the same products before preparation. (It should, however, be noted that stuffed products of **heading 19.02**, sauces and preparations therefor, condiments and seasonings, of the kind described in **heading 21.03**, soups and broths and preparations therefor and homogenised composite food preparations, of the kind described in **heading 21.04**, are always classified in those headings.)

The Chapter also **excludes** :

- (a) Flours and meals, fit for human consumption, made from meat or meat offal (including products from marine mammals) (**heading 02.10**) or from fish (**heading 03.05**).
- (b) Flours, meals and pellets, unfit for human consumption, made from meat (including those from the meat of marine mammals), from fish or from crustaceans, molluscs or other aquatic invertebrates (**heading 23.01**).
- (c) Preparations based on meat, meat offal, fish, etc., for animal feeding (**heading 23.09**).
- (d) Medicaments of **Chapter 30**.