



ISSUES OF CLASSIFICATION OF PERFUMERY AND COSMETIC PRODUCTS IN THE NOMENCLATURE OF GOODS

Karimova DiloVar Batirovna

Kokand state university

Annotation

This article explores the challenges faced in classifying perfumes and cosmetics based on the goods nomenclature of foreign economic activity. We will also discuss potential solutions to these issues.

Keywords: perfumes, cosmetics, commodity nomenclature of foreign economic activity.

In recent years, there has been a growing interest in perfumery and cosmetics worldwide, and especially in our country. Today, the market offers a wide range of high-quality products from both domestic and foreign manufacturers.

The purpose of this study is to examine and analyze the challenges that arise during the customs examination of goods, specifically focusing on perfumes and cosmetics. The perfumery and cosmetics industry plays a crucial role in meeting consumer demand for high-quality products. As such, special attention is paid to the safety requirements for these products. Cosmetics not only enhance beauty and attractiveness but also help to maintain generally accepted standards, follow basic hygiene rules, and meet the demands for luxury. However, despite the significance of this industry, the safety of perfumery and cosmetics products remains a highly relevant issue.

A declaration of conformity is a document that proves a product is safe. According to the Technical Regulations on the Safety of Perfumery and Cosmetics, cosmetics must undergo a declaration of conformity (TC) process. Today, this requirement is mandatory in all countries, although previously it was only required for certification. However, certification can also be done on a voluntary basis. In recent years, the Uzbek market has seen a significant increase in the sales of perfumes and cosmetics. Every year, the turnover figures grow by 8-10%. New retail chains have emerged in the industry, and markets have opened up, leading to a rise in the number of online stores and online shoppers. As a result, the government is facing the problem of an increasing number of counterfeit products.

It is well-known that the primary measure of the effectiveness of the law enforcement system lies in preventing crimes, deterring their occurrence, and stopping criminal activity at its source. Perfumes and cosmetics are among the luxury goods that are imported from various countries. As demonstrated by practice,



violations related to technical regulation and customs control, including incorrect declarations, are frequently identified for these products.

In column 33 of the declaration of goods (DT) submitted to the customs authorities, the декларанты must specify the code according to the commodity nomenclature of foreign economic activity. To avoid errors in determining the code for customs control, it is crucial to clearly understand the classification characteristics and unique features of products in the perfumery and cosmetics industry.

The relevance of this topic is evident from numerous court cases. There are several distinguishing features that characterize cosmetics:

1. The method of application is limited to external use only.

2. The places where cosmetics are applied can be diverse: the mucous membrane of the oral cavity and teeth, skin, lips, and hair.

The primary purpose of using cosmetics is to give the human body an attractive and healthy appearance. This is due to the psychological, aesthetic, and hygienic needs of individuals.

The importance of this topic is demonstrated by the numerous court cases related to cosmetics.

The classification of cosmetic products based on their specific characteristics is the most comprehensive.

For the purposes of examination, cosmetics can be divided into several types:

1. «Natural Cosmetics»: These products are a blend of natural ingredients such as various oils, waxes, herbal extracts, vitamins, preservatives, and aromatic additives. These ingredients provide the consumer properties of these products.

2. «Hygienic Cosmetics»: These products consist of aqueous solutions and emulsions based on surfactants, special additives, and detergents. They also provide consumer benefits.

3. «Hair Care Products»: These products are used to create and maintain hairstyles for a long time.

4. «Oral Hygiene Products»: These products help keep the oral cavity clean and include aqueous or alcoholic solutions of medicinal and preventive substances, flavorings, and other additives.

5. «Hygienic (Liquid) Cosmetics»: These products contain emulsions based on alcohol-aqueous solutions, suspensions, active ingredients, and other beneficial additives.

6. «Products for the precise construction of a ribbon of goods and suppliers»: These products include paints, oils, and other items that provide the consumer properties of oils and liquids.



It is important to note the challenges that arise when inspecting cosmetic products. In the HS commodity nomenclature, Groups 33 and 34 do not provide complete information. There are also gaps in the notes to these groups, and the texts of the product lines and explanations vary. Therefore, when conducting customs control to verify the authenticity of the declared product code belonging to Groups 33 and 34 of the Customs Code of Foreign Economic Activity, customs officials must analyze the information contained in column 31 of the declaration of goods (DT) and the commodity documents provided in the customs declaration.

Especially important are documents that contain information about the components of perfumery and cosmetics. If, for any reason, the declarant was unable to provide such documents, the customs authorities should request the following documents containing the necessary information:

- instructions for use;
- expert opinion (examination report);
- product analysis certificate or test reports;
- technical specifications.

The specificity of HS Group 33 is that it includes not only perfumes and cosmetics, but also food additives used for the production of food and beverages. For the correct classification of such products in the HS, it is necessary to accurately determine their composition, reflecting the main quality (property) that they acquire through additives.

If the amount of additives in a product exceeds the content of food components, and these additives are responsible for its basic quality (taste), then such products are considered as food flavors belonging to Group 33 of the Customs Code of Foreign Economic Activity. If the proportion of food components exceeds the proportion of additives and they affect the quality of the final products, then such products can be classified as food additives belonging to the foreign trade group 21 of the commodity nomenclature.

Due to the adoption of new rules concerning various aspects of customs, including operations, procedures, controls and payments, it has become necessary to develop more effective methods of identifying and classifying goods for customs purposes. It is especially important to pay attention to the labeling of perfumery and cosmetics products, as well as their composition, including expert methods. It is necessary to determine the quantitative ratios of the components in such products and confirm their true functional purpose.

When declaring goods to the customs authorities, it is necessary to specify the appropriate code for the Commodity Nomenclature of Foreign Economic Activity (HS). The customs duty and VAT rate depend on this code, as well as the need for non-tariff regulatory measures and compliance with prohibitions and restrictions. An



incorrectly defined code in the customs declaration can lead to increased costs and even violations. Defining a brand code can be difficult, and some types of products may require the involvement of specialists, exams, and a long time. The classifier includes 21 sections in total. The HS code is determined based on the characteristics of the goods specified in the regulatory technical documentation. The definition of perfumery and cosmetic products is carried out primarily according to the information indicated on the label. The identification of cosmetic products is carried out in order to confirm compliance, purchase, control and safety assessment, as well as to check substandard products and, in some cases, to identify counterfeit goods.

The study revealed problems with the identification of cosmetic products for customs purposes, which indicates an insufficiently developed recognition mechanism. CEA identification or recognition serves as the basis for the designation of the CN code, which is an important operation under customs control. In this regard, it can be concluded that it is advisable to develop a scientific approach to classifying goods with identification marks.

Thus, it is necessary to develop a scientific approach to the classification of goods by identifying identifying signs of perfumes and cosmetics.

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