



HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE
-
21st Session
-

NR0089E1
+ (Annex)
O. Eng.

Brussels, .

AMENDMENT OF THE EXPLANATORY NOTE TO HEADING 85.18 REGARDING
THE INCLUSION OF "FOETAL MONITORS"

(Item II.B.2 on Agenda)

Reference document :

NR0072E2 (RSC/20 - Report)

I. BACKGROUND

1. At its 20th Session, the Review Sub-Committee examined possible amendments to the Explanatory Notes to heading 85.18. As suggested by one delegate, the Sub-Committee agreed that a reference should be inserted under the Article 16 procedure concerning "foetal monitors" in the Explanatory Note to heading 85.18, given that this type of apparatus was different from the others covered by this heading. The Secretariat was instructed to prepare an inclusion note.
2. It should be noted that in Doc. NR0072E2, paragraphs 88 and 89, the Sub-Committee agreed to reconsider the new third paragraph to Heading 85.18, Part (C) at its next session. Consequently, the inclusion note for "foetal monitors" should be numbered paragraph four.

II. SECRETARIAT COMMENTS

3. The Secretariat would bring the Sub-Committee's attention to the fact that, at its 17th Session, the Harmonized Systems Committee examined the classification of a "FirstSounds FS 002" prenatal listening kit. The article consisted of a microphone (foetal monitor), headphones, a listening cone, an on/off volume control, an activation button and an on/off LED signal and a battery compartment. An instructional audio cassette and an instructional manual were supplied with the apparatus, together with a recording cable. The apparatus makes it possible to hear the sounds of a baby several months before birth. It amplifies hiccups, kicks and the baby's heartbeat.
4. Several delegates argued that the apparatus was appropriate to the text of subheading 8518.30, whereas others favoured classification in subheading 8518.50 since the apparatus included an amplifier and was therefore covered not by subheading 8518.30 (which made no mention of amplifiers) but by subheading 8518.50 (particularly on account of the reference to "amplifier sets" in the English text). When the Chairman put the question to

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a vote, the Committee opted (by 20 votes to 5) for classification in subheading 8518.30 as headphones and combined microphone/ speaker sets.

5. Acting on the Sub-Committee's instructions, the Secretariat has prepared and appended a draft inclusion note.

III. CONCLUSION

6. The Sub-Committee is invited to approve the appended amendment to the Explanatory Notes.

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ANNEXE

MODIFICATION DES NOTES EXPLICATIVES DU N° 85.18
RELATIVES AUX "MONITEURS DESTINES A ECOUTER LES
BRUITS DU FOETUS"

(Point II.B.2. de l'ordre du jour)

ANNEX

AMENDMENT OF THE EXPLANATORY NOTE TO HEADING 85.18
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(Item II.B.2. on Agenda)

PROCEDURE DE L'ARTICLE 16

MODIFICATIONS DES NOTES EXPLICATIVES

Page 1477. N° 85.18. Alinéa C).

Nouveau quatrième paragraphe.

Ajouter le nouveau quatrième paragraphe ci-après :

“Cette position comprend également les appareils d’écoute prénatale sous forme de trousse, qui comprennent habituellement un microphone (moniteur destiné à écouter les bruits du fœtus), des écouteurs et un cône d’écoute.”

ARTICLE 16 PROCEDURE

AMENDMENTS TO THE EXPLANATORY NOTES

Page 1477. Heading 85.18. Part (C).

New Fourth Paragraph.

Insert the following new fourth paragraph :

"The heading also covers prenatal listening kits, which normally consist of a microphone (foetal monitor), headphones and a listening cone."
