



HARMONIZED SYSTEM  
REVIEW SUB-COMMITTEE

NR0141E1

-  
23<sup>rd</sup> Session  
-

O. Eng.

Brussels, 13 February 2001

POSSIBLE AMENDMENT OF THE TEXT OF HEADING 85.25  
TO CLARIFY THE CLASSIFICATION OF CAMERAS

(Item III.A.6 on Agenda)

Reference documents :

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|---|--|
| NC0055EI (HSC/23)                                 | NR0095E1 (RSC/21)                      |
| NR0072E2, Annex C, paragraph 94 (RSC/20 – Report) | NR0101E2, Annex B/12 (RSC/21 – Report) |
| NR0086E1 (RSC/21)                                 | NR0101E2, Annex E/15 (RSC/21 – Report) |
| NR0093E1 (RSC/21)                                 | NR0118E1 (RSC/22)                      |
|   | NR0133E2, Annex D/8 (RSC/22 – Report)  |

I. BACKGROUND

1. At its 22<sup>nd</sup> Session in September 2000, the Review Sub-Committee examined the Secretariat's proposal to amend the text of heading 85.25 to clarify the classification of cameras. At that time, delegates referred to the reservation on the Color QuickCam pending before the Harmonized System Committee and pointed out that the Sub-Committee should wait for the Committee's decision before taking any position on proposals to amend the Nomenclature for the year 2007.
2. At the same time, several delegates made observations regarding the Secretariat's proposal and the problems the Sub-Committee should address in its review of the text of heading 85.25 (paragraphs 2 and 4 of Annex D/8 to Doc. NR0133E2). In addition, the Canadian Delegate indicated that the Canadian Administration may be in a position to submit a document for the next meeting of the Review Sub-Committee, proposing to regroup all digital still image cameras in heading 90.06.
3. The Sub-Committee agreed to continue to examine possible amendments to the legal text of heading 85.25 and possibly heading 90.06, taking into account the HS Committee's decision on the reservation of the Color QuickCam and the likely proposal from Canada.

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4. During the 26<sup>th</sup> Session (November 2000), the HS Committee decided that the "Color QuickCam" was classifiable in subheading 8525.30 ("television cameras") rather than in another subheading of heading 85.25, by application of GIRs 1 and 6 and Note 5 (E) to Chapter 84.

## II. SECRETARIAT COMMENTS

5. By the time of publication of this document, the Secretariat had not received any comments from administrations with regard to this question. It has, however, contacted the Canadian Administration and been informed that a proposal is being prepared for consideration by the Review Sub-Committee at its upcoming meeting in March 2001. Once the Secretariat receives this proposal, it will publish it as soon as possible.
6. Concerning the Secretariat's proposal in Doc. NR0118E1, reproduced in the Annex to this document for ease of reference, the Secretariat is of the opinion that the phrase "digital cameras (whether or not recording)" addresses the concerns of some delegates involving digital cameras that do not record. In addition, some concern was expressed at the Sub-Committee's last meeting regarding the decision by the Committee on the classification of the Color QuickCam and its subsequent effect on the Secretariat's proposal. In the Secretariat's view, the Secretariat's proposal, i.e., "digital cameras (whether or not recording)", would transfer apparatus such as the Color QuickCam from current subheading 8525.30 to new subheading 8525.40 (for HS 2007). However, if the Sub-Committee considers this transfer requires further clarification, then a Subheading Note for subheading 8525.30 could be drafted, defining either what a TV camera is or what it is not, thereby giving direction to the classification of apparatus such as the Color QuickCam.
7. As the Canadian Administration is in the process of drafting a proposal to regroup all digital still image cameras in heading 90.06, the Secretariat considers it appropriate to await the discussions at RSC/23 and the direction of the Sub-Committee before it takes any further action.

## III. CONCLUSION

8. The Sub-Committee is invited to take account of the Secretariat's comments above, as well as the Annex to this document, when it examines this Agenda Item.

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