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CLASSIFICATION OF THE "COLOR QUICKCAM"

(Item VIII.14 on the Agenda)

Reference documents :

42.081 (HSC/22)
42.750 Annex H/11(HSC/22 – Report)

I. BACKGROUND

1. At its 22nd Session in November 1998, the Committee exchanged preliminary views on the classification of the "Color QuickCam", taking into account Doc. 42.081.
2. Recalling the decision concerning the "Children's Bible Book", the Chairman pointed out that the question whether the apparatus could be regarded as a set within the meaning of GIR 3 (b) remained to be settled. One delegate indicated that the digital camera gave the set its essential character; since the camera performed a specific function in the sense of Note 5 (E) to Chapter 84, it was classifiable in heading 85.25 and not in heading 84.71. He also asked whether or not the apparatus was fitted with memory. Another delegate felt that the apparatus had no recording capability but was only able to transmit compressed image data to an ADP machine. Finally, the Secretariat encouraged administrations to submit their comments concerning the term "video" with respect to heading 85.25 in order to permit the Secretariat to prepare a new document.

II. SECRETARIAT COMMENTS

3. The Secretariat received no comments from Administrations concerning the term "video" with respect to heading 85.25 and, therefore, contacted the manufacturer and was informed as follows :

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For reasons of economy, documents are printed in limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

- (i) The "Color QuickCam" is a digital camera which captures light images, converts them to digital electronic signals and sends them directly to an ADP machine. The user can then decide how to save it, where to save it or if it is to be transmitted immediately by way of attachment in an e-mail.
 - (ii) The "Color QuickCam" is used only in conjunction with an ADP machine and must be connected to it.
 - (iii) The "Color QuickCam" does not have an internal memory to enable it to store images. The electronic data that is produced has to be handled and stored in the ADP machine using software programs.
 - (iv) The "Color QuickCam" is a video device for Windows and records to A6 format.
 - (v) The "Color QuickCam" software capabilities include: Still image capture in Batch Messing Processing (Program) (BMP), Tag Image File Format (TIFF) and Joint Photographic Experts Group (JPEG) file formats, video capture in A6 file format, still image editing and e-mailing video or still images.
4. The Secretariat has reviewed its position on the classification of the "Color QuickCam", in conjunction with its examination of Agenda Item VIII.19 ("Study to determine whether it would be appropriate to amend the Nomenclature with a view to clarifying the classification of digital cameras").
5. The Secretariat had understood that there were only four types of digital cameras, all of which operated by capturing light images, converting them to digital electronic signals and then recording such digital image data on internal or removable media (built-in memory or diskettes). The images can be reproduced by connecting the camera to a video monitor (or TV) or an ADP machine, or by inserting the media in the ADP machine.
6. The "Color QuickCam" functions differently from the aforementioned digital cameras because it has no internal or removable media (built-in memory or diskettes). It captures images and converts them directly into digital electronic signals which are subsequently sent to an ADP machine, where they are stored by using software programs. It can only operate when connected to an ADP machine and it is only used in conjunction with an ADP machine.
7. The Secretariat researched the term "video" in the Grand Larousse Universel and found it defined as : "An application or an apparatus for forming, recording, processing or transmitting images or signals in a bandwidth comparable to that of a TV signal" (translation). The New Shorter Oxford English Dictionary defines "video" as : "Of or pertaining to the television broadcasts or the signals representing it." Both of these definitions provide the classical definition of the term "video", as it relates to television. However, the term has come to encompass more than that. For example, The New Encyclopaedia Britannica makes reference to the fact that "Information is encoded by a laser beam as a pattern of pits on the metallic recording medium of a videodisk platter." Furthermore, in the McGraw Hill Encyclopaedia of Science & Technology, reference is made to applications for laser videodisks that include "video games with user interaction, medical teaching systems, simulation and archival storage of pictorial, video and digital images", among others. From these latter two examples, it is clear that the term "video" has taken on a broader scope than that of the classical definition.

8. The "Color QuickCam" cannot be directly connected to video recording machines, television set or monitors and, consequently, heading 85.25 does not appear appropriate.
9. The "Color QuickCam" cannot record images without being connected to an ADP machine. It is connected to the central processing unit by a cable. Moreover, the images captured by the "Color QuickCam" are converted to digital electronic signals and sent directly to the ADP machine. In the light of the foregoing, the Secretariat feels that the "Color QuickCam" meets the conditions set out in Note 5 (B) to Chapter 84. Consequently, classification as an input unit for an automatic data processing machine in subheading 8471.60 would appear appropriate, but the Secretariat leaves it to the Committee to express its view on the classification.
10. The description of the "Color QuickCam", as provided in Doc. 42.081, is reproduced below.

This product consists of a digital camera, a rubber camera stand, a manual, a keyboard adapter plug, a cable to connect the camera to a computer, diskettes containing software for installation for capturing still images and capturing video, and a registration card. All these items are included in a box for retail sale. The camera incorporates an adjustable focus lens, an image capture board with charged coupled device (CCD), a VIDEOTM (Video Digitally Enhanced Compression) compression board, and a cable fitted with three plugs. To use the apparatus, it is necessary to connect it to an automatic data processing machine equipped with the following : 486/66 or faster processor, 8 MB or 12 MB of RAM, one available parallel port, 2 MB of hard disc space for the digital camera's software, minimum of 5 MB disc space to create movies, and an operating system. This apparatus is used for sending live video images or still images to computers and editing these images with attached software. With this apparatus, one can produce video movies and snapshots for computers, hold video conferences, produce documents with images.

III. CONCLUSION

11. The Committee is invited to take account of the additional information given above and the Secretariat's comments when examining this item.
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