



HARMONIZED SYSTEM
COMMITTEE
-
23rd Session
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NC0059E1

O. Eng.

H9-3

Brussels, 23 April 1999.

CLASSIFICATION OF MULTIFUNCTIONAL DIGITAL COPIERS

(Item IX.26 on the Agenda)

Reference documents :

42.406 (RSC/18)
42.498 (RSC/18)
42.500 Annex B/19 (RSC/18 – Report)
42.750 Annex E (HSC/22 – Report)
NR0023E1 (RSC/19)
NR0037E1 (RSC/19)
NR0045E1 Annex D/26 ((RSC/19 – Report)

I. BACKGROUND

1. At its 18th Session (September 1998), the Review Sub-Committee examined possible amendments to heading 90.09 to provide for multifunctional photocopying apparatus in the HS. The Sub-Committee agreed to pursue the question at its next session and to leave it to the HS Committee to determine the classification of the apparatus in question.
2. At its 22nd Session, the HS Committee merely took note of the Review Sub-Committee's decision to continue studying the question of possible amendments to heading 90.09, to provide for multifunctional photo-copying apparatus in the structured nomenclature of that heading. The Committee did not address the classification question.
3. The Review Sub-Committee, at its 19th Session, continued its study of this issue on the basis of a new proposal presented by the Delegate of Brazil during the Session. Given the time limit to take this question on board during the current review cycle, the Sub-Committee agreed to place the new Brazilian proposal in square brackets and to submit it to the Harmonized System Committee for consideration and to leave the classification issue of the goods in question to the HSC.

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4. In this connection, the Brazilian Administration Administration provided technical information on the mechanism of multifunctional photo-copying apparatus (Doc. NR0037E1); the relevant portions are reproduced below :

II. NOTE FROM THE BRAZILIAN ADMINISTRATION

Light-Lens and Digital Electrostatic Copying Process :

5. "Electrostatic copying, either light lens or digital, is a process in which an image is directed onto an electrostatically charged photoreceptor. The photoreceptor is then exposed to a toner material, which is attracted to oppositely charged areas on the photoreceptor corresponding to the directed image. This creates an electropositive image, which is then transferred to paper or other media and fused onto the media.
6. In "light lens" technology, the original documented is illuminated by a light source. The image is then exposed onto the photoreceptor by an optical system composed of sets of mirrors or lenses.
7. In "digital" technology, the original document is scanned by a raster-input scanner or other photoelectric converter device and is converted into digital data. The digital data is stored in memory and operated on by image processing technology to enhance the image. The image is then directed to the photoreceptor usually by a laser reflected through an optical system of mirrors and lenses imparting an electrical charge to the photoreceptor".

III. SECRETARIAT COMMENTS

8. The Secretariat has not yet undertaken a study of multifunctional digital copiers but has some concerns in classifying such copiers, that are capable of scanning, faxing, printing and copying, in heading 90.09. As the Secretariat pointed out in Doc. 42.498, given the different functions, it might be argued that the following headings also merit consideration : heading 84.71 or 84.72 (as a printer, depending on whether or not the printer fulfils the criteria of Note 5 (B) (b) and (B) (c) to Chapter 84); heading 84.71 (as a scanner, provided the criteria of Note 5 (B) to Chapter 84 are satisfied); heading 85.17 (as a fax machine, provided this function is the principal function).
9. The Secretariat does not believe that this question is ripe for consideration by the Harmonized System Committee given the fact that the Committee has not yet directed the Secretariat to undertake a study of this question and no administrations have submitted information on specific machines which could provide the basis for such a study.

IV. CONCLUSION

10. The Committee is invited to decide on what action to take with regard to the classification of multifunctional digital copiers, taking into account the comments of the Secretariat in paragraphs 8 and 9 above, and its discussion on the Brazilian Administration's proposal to amend the structured nomenclature to heading 90.09.