



HARMONIZED SYSTEM  
COMMITTEE

NC0334E1

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26<sup>th</sup> Session  
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O. Eng.

Brussels, 1 November 2000.

### CLASSIFICATION OF "MYKON ATC BLUE"

(Item 3 on the Additional List)

#### I. BACKGROUND

1. In September 1999, the Secretariat received an inquiry from the Argentine Customs Administration, concerning the classification of "MYKON ATC Blue". The Secretariat subsequently informed the Argentine Customs Administration that the product in question was classifiable in heading 29.24 (subheading 2924.10) as a separate chemically defined compound but also indicated that it would be prepared to submit this question to the Harmonized System Committee on the basis of any comments the Argentine Administration might wish to submit.

2. Composition of the product

Tetraacetylenediamine	>90%
Sodium carboxymethylcellulose	<8%
Water	<2%

According to the manufacturer the product referred to as "MYKON ATC Blue" consists of tetraacetylenediamine (TAED), as the active component. The product is supplied in a granulated form in which sodium carboxymethyl cellulose (S-CMC) is used as the binding agent. The product also contains an inert pigment (<0.5%).

The manufacturer has indicated that TAED, tetraacetylenediamine is more correctly described by the systematic name : N,N'-1,2-ethanedilylbis(N-acetyl) acetamide. It has also indicated that the primary function of S-CMC is to ensure stability during transport and handling and that this latter point is important from a respiratory viewpoint as well as for suppressing explosible dust cloud formation. It has further indicated that S-CMC does not add any functionality to the product and it is used solely as a granulation aid. With regard to the pigment present in the product, the manufacturer has stated that the pigment is added in minute amount solely for aesthetic reasons and does not perform any function other than this. Furthermore, the pigment is inert and does not in any way contribute to the action of the product.

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3. On 17 October 2000, the Argentine Administration wrote to the Secretariat indicating its preference to classify this product in heading 38.24 since in its view the addition of sodium carboxymethylcellulose and pigment renders the product useful for a specific use and not for general use.
4. It was also mentioned that sodium carboxymethylcellulose is not essential to ensure stability of the product, therefore, it gives the product the character of a preparation. Furthermore the addition of the pigment would intensify the categorisation of the "preparation" and the product would exceed the scope allowed for the classification of goods in Chapter 29.
5. The Argentine Administration therefore requested this question to be included on the Agenda of the next session of the Harmonized System Committee.

## II. SECRETARIAT COMMENTS

6. According to the technical information available to the Secretariat, the active component, TAED, is used as an activator in detergent manufacture and pulp bleaching. TAED also contributes to the biocidal efficacy of detergent formulations.
7. According to the information available through the Internet, the manufacturer, Warwick International Limited, produces different products based on TAED. The MYKON bleach activator range of granulated TAED-based activators is designed for easy addition to detergent formulations. This range covers MYKON ATC, MYKON AML, MYKON ATE and MYKON ASD. The WB600 series of TAED granulates has been specifically designed to deliver assured levels of biocidal activity from peroxygen-based antimicrobial systems by the safe, in-situ generation of peracetic acid. Furthermore, WT products are specially formulated auxiliaries which contain a bleach activator that reacts with hydrogen peroxide in the bleach bath to produce a stronger oxidant.
8. The main question for consideration by the Committee is whether "MYKON ATC Blue" could be considered as a separate chemically defined compound (i.e., N,N'-1,2-ethanedilylbis(N-acetyl) acetamide ) within the context of Chapter 29 or whether it should be excluded from Chapter 29 due to the presence of S-CMC and pigment in the product.
9. According to Note 1(a) to Chapter 29, except where the context otherwise requires, the headings of this Chapter apply to separate chemically defined organic compounds, whether or not containing impurities. Note 1 (f) permits such a compound to be classified in Chapter 29 with an added stabiliser necessary for their preservation or transport. Furthermore, Note 1(g) permits the further addition of colouring substances in order to facilitate identification or for safety reasons, provided that the addition does not render the product particularly suitable for a specific use rather than for general use.
10. Accordingly, if S-CMC could be considered as an added stabiliser for transport and the pigment could be considered as an added colouring substance to facilitate its identification, then the product in question could be classified in Chapter 29.
11. The manufacturer has explained that the primary function of the S-CMC is to ensure stability during transport and handling.

12. With regard to the pigment, the manufacturer has indicated that it is added solely for aesthetic reasons and does not perform any function other than this. Further, the pigment is inert and it does not in any way contribute to the action of the product. The manufacturer has also indicated that MYKON ATC is available in white, blue and green.
13. Based on the information available, the Secretariat feels that the product in question, "MYKON Blue", is specifically designed for detergent formulations.
14. The Secretariat would therefore consider "MYKON Blue" to be a separate chemically defined compound, within the context of Chapter 29, containing a stabiliser and colouring matter. The separate chemically defined component, N,N'-1,2-ethanedilylbis(N-acetyl) acetamide (TAED), could be considered to be a compound containing two secondary amide groups and would be classifiable in heading 29.24 (subheading 2924.10).
15. However, since the Argentine Administration has indicated its preference to classify this product in heading 38.24, the Committee is requested to examine this classification question.

### III. CONCLUSION

16. The Committee is invited to rule on the classification of "MYKON ATC Blue" taking into account the comments made by the Argentine Administration and the Secretariat.
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