

SCIENTIFIC SUB-COMMITTEE	39.452
E	
-	
9th Session	O. Fr.
-	
	SC-3

1995. Brussels, 19 June

CLASSIFICATION OF "GAMMA GRIP" AND

"GAMMA HI-TECH"

(Item II.8 on Agenda)

Reference documents :

38.415 (HSC/12)
38.692 (HSC/13)
38.760, Annex H/9 (HSC/13 - Report)
38.836 (HSC/14)
38.986 (HSC/14)
38.960, Annex G/11 (HSC/14 - Report)
39.228 (HSC/15)
39.413 (HSC/15)
39.394 (HSC/15)
39.400, Annex H/7 (HSC/15 - Report)

I. BACKGROUND

1. Since its 12th Session, the Harmonized System Committee has examined the classification of several types of "GAMMA GRIP". These are tapes consisting of sheets of polyurethane and textiles, of a given length and having tapered ends, intended for covering tennis racket handles but also suitable for other uses.

2. The Committee decided at its 13th Session, that these products were not covered by Note 3 to Chapter 95, but were classifiable in accordance with their constituent material.

3. To resolve the problem, the Committee decided at its 15th Session to limit itself to classification of two types of tape only. The Committee instructed the Secretariat to submit these two types of Gamma Grip to the Customs laboratories of the Canadian, French and Japanese Administrations for analysis. The Committee formulated the following four questions to ask these three laboratories?:

(i) Are the plastics cellular or compact ?

(ii) Is the textile felt or a nonwoven, taking into account the definition of "felt" and "nonwoven" in the Explanatory Notes to headings 56.02 and 56.03 respectively ?

(iii) Is the tape self-adhesive ?

(iv) (a) Are the plastics in the form of plates, sheets or strip ?

(b) If so, is it possible to determine whether these plates, sheets or strip already existed prior to being combined with the felt or nonwoven ?

The Scientific Sub-Committee was also requested to give an opinion, so as to permit the Committee to close this matter at its 16th Session.

4. As the Canadian laboratory has not yet replied, the analyses results from two laboratories (French and Japanese) are set out at Annex I; a summary table with replies to the questions is set out at Annex II hereto.

II. SECRETARIAT COMMENTS

5. In respect of question (4) (b), the Secretariat would draw the Sub-Committee's attention to the following amendment make on 1 January 1972 to heading 59.08 of the Brussels Nomenclature (corresponding to HS heading 59.03) :

39.452 E

- Original text (1955) - "59.08 Textile fabrics

impregnated or coated with
preparations of cellulose
derivatives or of other
artificial plastic materials."

- Amended text (1972) - "59.08 Textile fabrics
impregnated, coated, covered

or

laminated with preparations

of

cellulose derivatives or of
other artificial plastic
materials."

6. The Nomenclature Committee took this decision, inter alia, to eliminate the distinction between coated/impregnated products (application of a liquid product) and covered/laminated products (pre-existing sheets), after the Chemists'

Committee made the following observation at its 11th Session (January 1965) :

"Fabrics coated with artificial plastic materials cannot always be distinguished from fabrics covered with such materials, mainly because of the variety of manufacturing processes used. There was almost unanimous agreement that the need to make this distinction should be eliminated by classifying in heading 59.08 all fabrics impregnated, coated, covered or laminated with artificial plastic material."

7. The Secretariat feels that the problem is identical for felt and nonwovens, and that it is thus impossible in many cases to determine whether the plastic sheet existed prior to being combined with the felt or the nonwoven.

8. The two types of product may now be defined as follows?:

- GAMMA GRIP : a non-adhesive strip (105 cm x 27 mm x 0.7 mm) of synthetic textile fibre nonwoven, coated or covered with cellular plastics, and having tapered ends.

- GAMMA HI-TECH GRIP : a strip (105 cm x 27 mm x 1.8 mm) of

nonwoven (Japanese laboratory) or felt (French laboratory) of synthetic textile fibres, coated or covered with cellular plastics, and having tapered ends and an adhesive film on the textile side (1 cm wide) covered with protective paper.

9. These strips are intended for covering tennis racket handles but are also suitable, according to the text on the packaging, for improving the grip of tool handles, bicycle handlebars, etc.

10. Taking into account the Committee's decision that the article is not covered by Note 3 to Chapter 95, as well as the analyses carried out by the two above-mentioned laboratories, the two types of products are, in the Secretariat's opinion, classifiable as follows :

- GAMMA GRIP - a strip of cellular plastics, combined with a nonwoven (reinforcement) and having tapered ends : classifiable in subheading 3926.90 by application of Note 3 (c) to Chapter 56 and Note 10 to Chapter 39;
- GAMMA HI-TECH GRIP - a strip made of cellular plastics, combined with felt or a nonwoven (reinforcement), self-adhesive and having tapered ends : classifiable in subheading 3919.10 by application of Note 3 (c) to Chapter 56.

III. CONCLUSION

11. The Scientific Sub-Committee is invited to :

- (a) Reply to the four questions asked in paragraph 3 above;
- (b) Give its opinion on the classification of both types of Gamma Grip.

x

x

x

39.452 E

INTERREGIONAL CUSTOMS LABORATORY - PARIS

ANALYSIS OF "GAMMA GRIP" AND "GAMMA HI-TECH GRIP"

(1) GAMMA GRIP

The sample comprises a nonwoven fabric of synthetic textile fibres (polyester) coated or covered with yellow cellular plastics (polyurethane).

The plastics are presented in the form of a 27-mm-wide non-adhesive tapered tape. It is impossible to say whether this tape existed prior to being combined with the nonwoven.

(2) GAMMA HI-TECH GRIP

The sample, which is a felt of synthetic textile fibres (principally polyamide fibres and some polyester fibres) impregnated with white cellular plastics (polyurethane) is coated on one side with a green cellular material (polyurethane).

The textile fibres on the other side appear on the surface and are coated with an adhesive film (of the butyl acrylate type) on a central 1-cm-wide strip. The adhesive section is covered with protective paper.

The whole is combined with a transparent polyethylene strip.

The plastic is presented in the form of a 25-mm-wide tape, with bevelled edges. It is impossible to say whether this tape existed prior to being combined with the felt.

Cellular ?	GAMMA GRIP	HI-TECH
		Yes
Felt or nonwoven ?	Yes	Felt
Self-adhesive ?	Nonwoven	Yes
Plates, sheets or strip ?	No	Strip other than square or rectangular
Pre-existence ?	Strip other than square or rectangular	Impossible to determine
	Impossible to determine	

*

*

*

CENTRAL CUSTOMS LABORATORY - JAPANESE ADMINISTRATION

"I am pleased to reply to your question about the products "GAMMA GRIP" and "GAMMA HI-TECH GRIP".

(1) "GAMMA GRIP"

(i) Are the plastics cellular or compact ?

The surface and the cross section of the product were observed using a scanning electron microscope (SEM). There appear to be many spatial cells which are spread through the whole of the plastic, as shown in photo

1

and photo 2(*). Accordingly, the plastic is cellular.

(ii) Is the textile felt or a nonwoven ?

The infrared absorption spectrum of its rough surface shows the absorption bands arising from polyester fibre.

(*) The photos will be shown to delegates during the meeting.

39.452 E

This feature of the textile was observed by SEM. The SEM photograph shows the feature of irregular distribution of the fibres combined with binder, as shown in photo 3(*). Accordingly, the textile seems nonwoven. From the separation analysis based on the 80 % solubility with H₂SO₄, the polyester fibre content is about 30 %.

(iii) Is the tape self-adhesive ?

The product has no self-adhesive part.

(iv) (a) Are the plastics in the form of plates, sheets or strip ?

The product appears in those forms.

(b) If so, is it possible to determine whether these plates, sheets or strip already existed prior to being combined with the felt or nonwoven ?

We think that it is difficult to determine whether the plastics already existed prior to being combined with the textile. It seems that the manufacturer might have more detailed information about the product.

(2) "GAMMA HI-TECH GRIP"

(i) Are the plastics cellular or compact ?

The surface and the cross section of the product were observed using a scanning electron microscope (SEM). From the observation of the cross section, the product is composed of three layers, i.e. a coating layer of polyurethane thin film as the outward layer, the next layer consisting of polyurethane with many spatial cells and the inward layer of the textile combined with binder, as shown in photo 1(*). The outward surface does not have any spatial cells (coated with polyurethane thin film), as shown in photo 2(*).

(ii) Is the textile felt or a nonwoven ?

The infrared absorption spectrum of the textile shows the absorption bands arising from polyamide fibre.

The

The

feature of the textile was observed using an SEM.

SEM photograph shows the feature of irregular
distribution of the fibres combined with binder, as

(*) The photos will be shown to delegates during the meeting.

Annex I to
Doc. 39.452 E

shown in photo 3(*). Accordingly, the textile seems to be a nonwoven. From the separation analysis based on solubility with warm dimethylformamide, the polyamide fibre content is about 40 %.

(iii) Is the tape self-adhesive ?

The tape is apparently self-adhesive with an adhesive strip with an embedded reinforcement of paper.

(iv) (a) Are the plastics in the form of plates, sheets, or strip ?

The product appears to be in those forms.

(b) If so, is it possible to determine whether these plates, sheets or strip already existed prior to being combined with the felt or nonwoven ?

We think that it is difficult to determine whether the plastics already existed prior to being combined with the textile. It seems that the manufacturer might have more detailed information about the product.

x

x x

(*) The photos will be shown to delegates during the meeting.

Annex II to
Doc. 39.587 E

Questions	GAMMA GRIP		GAMMA HI-TECH GRIP	
	France	Japan	France	Japan
Question 1 : coated with compact cellular or compact ?	Cellular Are	Cellular the	Cellular	Cellular plastics
Question 2 : Is the textile felt or a nonwoven??	Nonwoven	Nonwoven	Felt impregnated with cellular plastics	Nonwoven
Question 3 : Is the tape self- adhesive ?	Non-adhesive	Non-adhesive	Adhesive	Adhesive
Question 4 (a) :	Yes	Yes	Yes	Yes
Are the plastics in the form of plates, sheets or strip ?				

GAMMA GRIP

GAMMA HI-TECH GRIP

Questions	France	Japan	France	Japan
Question 4 (b) :				
to	Impossible to	Difficult to	Impossible to	Difficult
If so, is it possible	determine	determine	determine	determine
to determine whether				
these plates, sheets				
or strip already				
existed prior to being				
combined with the felt				
or nonwoven ?				
