



SCIENTIFIC SUB-COMMITTEE

NS0004E1

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15th Session
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O. Eng.

Brussels, 6 December 1999.

AMENDMENT OF THE EXPLANATORY NOTES
CONCERNING AMMONIUM NITRATE FERTILISERS

(Item II.3 on Agenda)

Reference documents :

41.560 (HSC/20)	42.485 (HSC/22)
42.092 (HSC/21)	NC0068E1 (HSC/23)
42.100 Annex IJ/4 (HSC/21 – Report)	NC0090E2, Annex IJ/7 (HSC/23 – Report)
42.413 (HSC/22)	NC0160E2, Annex H/1 (HSC/24 – Report)
42.750 Annexes F/3, H/19 and K/12 (HSC/22 – Report)	

I. BACKGROUND

1. Following the adoption of a Classification Opinion concerning the classification of ammonium nitrate fertiliser in subheading 3102.40 (HSC/22), the Harmonized System Committee (HSC), at its 24th session, considered a proposal of the Venezuelan Customs Administration to introduce a quantitative criterion for distinguishing between products of subheading 3102.30 and 3102.40. It was decided to send the issue to the Scientific Sub-Committee, asking advice on the two following questions :

- (i) Whether a criterion for distinguishing between products of subheadings 3102.30 and 3102.40 should be established; and
- (ii) What test methods would be appropriate.

II. SECRETARIAT COMMENTS

2. The Venezuelan Administration has proposed to introduce a distinction between the products of subheadings 3102.30 and 3102.40 on the basis of the total nitrogen content (i.e., at least 33.25 % and less than 33.25 %, respectively). The Secretariat is concerned, however, that such a distinction of ammonium nitrate of subheading 3102.30 from mixtures of subheading 3102.40 based on nitrogen content alone might be misleading, since nitrogen content determined by laboratory analysis includes not only the nitrogen originating from

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ammonium nitrate, but also from any other nitrogen-containing substances (e.g., magnesium nitrate) present in the product (paragraph 22 of Doc. 42.485).

3. An alternative is to prescribe a minimum percentage of ammonium nitrate for classification in subheading 3102.30. The Venezuelan Administration indicates that in most cases the stabilisers or other substances present in ammonium nitrate do not exceed 5 %. Consequently, a purity criterion of 95 %, calculated on the dry weight of the product, would seem suitable.

III. CONCLUSIONS

4. The Sub-Committee is invited to take the above comments and the comments by Venezuela and by the Secretariat in Docs. 42.485 (HSC/22) and NC0068E1 (HSC/23) into account when considering the following questions :
 - (i) Whether a criterion for distinguishing between products of subheadings 3102.30 and 3102.40 should be established; and
 - (ii) What test methods would be appropriate.
