



HARMONIZED SYSTEM  
COMMITTEE  
-  
26<sup>th</sup> Session  
-

NC0308E1  
(+ Annex)  
O. Fr.  
  
H11-3

Brussels, 5 October 2000.

## CLASSIFICATION OF VIBRATOR MOTORS

(Item VIII.4 on Agenda)

### Reference documents :

NR0063B1 (RSC/20)  
NR0072E2, Annex C, paragraph 84  
(RSC/20 - Report)  
NC0104E1, paragraph 67 (HSC/24)  
NC0160E2, Annex E, paragraph 13  
(HSC/24 - Report)

NC0209E1 (HSC/25)  
NC0250E2, Annexes H/12, F/1-paragraphs 72 to 75,  
and L/16 (HSC/25 - Report)

### I. BACKGROUND

1. In the 2002 version of the HS, the deletion of present heading 85.08 will result in the transfer of products from that heading to a new heading 84.67 which will thus group together all tools for working in the hand, pneumatic, hydraulic or with self-contained electric or non-electric motor.
2. During the discussions on the transfer and particularly regarding the reference to the term "vibrator" in the Explanatory Note to new heading 84.67, it was pointed out that vibrator motors had been classified as machines and mechanical appliances having their own specific function (present heading 84.79), by an old Nomenclature Committee decision taken at its 21st Session in November 1968 (see paragraph 9 below).
3. Taking that classification into consideration, the question arose as to whether or not vibrators, i.e. tools with a built-in vibrator motor, would be covered by heading 84.67 in the 2002 version of the HS.
4. Given the impact that this long-standing decision would have on the scope of heading 84.67, the Committee decided to delete the references in square brackets to vibrators in the draft Explanatory Note thereto (see Doc. NC0250E2, Annex F/1, paragraph 74 – HSC/25, Report).

File no. 2793

5. On considering this amendment, the Secretariat's understanding is that the Committee felt that tools for working in the hand incorporating vibrator motors could not be classified in heading 84.67, as the latter did not constitute electric motors of heading 85.01.
6. However, delegates remained divided on the classification of vibrator motors in the 2002 version of the HS (see Doc. NC0250E2, Annex H/12 – HSC/25, Report).
7. In this respect, the Secretariat acknowledges that it has also encountered certain difficulties in tracing back the reasoning which led to the Nomenclature Committee decision in 1968.
8. Hence the Secretariat feels that it would be useful to re-examine the classification of vibrator motors to allow the Harmonized System Committee to confirm the classification previously decided by the Nomenclature Committee.

## II. SECRETARIAT COMMENTS

### **Historical background**

9. At its 21<sup>st</sup> Session in November 1968, the former Nomenclature Committee examined the classification of vibrator motors. Having felt that they could no longer be regarded as electric motors of heading 85.01 and in the absence of a more specific heading, the Committee decided to classify the articles at issue in heading 84.59 (see Report NC/21 – Doc. 15.460/E/14).
10. On the basis of the research carried out by the Secretariat and, according to the Classification Opinion that reflected the Nomenclature Committee's decision, the vibrator motors in question were the following :

<p><b>Vibrator motor</b> consisting of an electric motor with eccentric discs fitted to the protruding ends of the shaft, generating radial vibrations which are transmitted to the apparatus or appliance (chutes, bins, hoppers, conveyors, compacting appliance, etc.) to which the vibrator motor is fixed.</p>
---

11. An illustration of the apparatus at issue is set out in the Annex hereto.

### **Assessment**

12. From the above description, the Secretariat notes that the essential characteristic of the machines at issue is that they consist essentially of an electric motor of the traditional type, their special feature being that they have eccentric "weights" fitted to the protruding ends of the shaft. It is the presence of these "weights" that creates the vibrations which, moreover, can be varied by adjusting the eccentric weights (see Doc. NC0209E1, paragraph 8 - HSC/25).
13. In the Secretariat's opinion, the question is therefore whether, despite the presence of "weights" (eccentric masses), the vibrator motors at issue retain the character of electric motors of heading 85.01 or whether they acquire, due to the presence of the weights, the character of mechanical appliances classifiable as such in Chapter 84 (in this particular case in heading 84.79).

**Secretariat views**

14. Given the minor change that the “weights” make to the structure of the electric motors to transform them into vibrator motors, the Secretariat could readily accept that they be considered mere accessories enabling the electric motors to perform a specific function.
15. However, the Secretariat is not sure that the present text of heading 85.01 can cover such a configuration, given that the present Explanatory Notes do not indicate whether the presence of such accessories is admissible insofar as, though the vibrator motors in question produce vibrations, they retain the characteristics of rotary motors of that heading.
16. Hence the Secretariat feels that it would be preferable for the Committee to rule on the classification of the vibrator motors at issue in the 2002 version of the HS. The Committee's decision would, of course, also impact on the scope of heading 84.67 in the 2002 version of the HS.

**III. CONCLUSION**

17. The Committee is invited to rule on the classification in the 2002 version of the HS of the vibrator motors described in paragraph 10, taking account of the Secretariat's comments above.

\* \* \*

**MOTEUR-VIBRATEUR**  
**VIBRATOR MOTOR**

