



HARMONIZED SYSTEM
COMMITTEE

-
27th Session

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NC0410E1

O. Fr.

H3-1

Brussels, 20 April 2001.

AMENDMENTS TO THE EXPLANATORY NOTE TO HEADING 85.18

(Item VII.12 on Agenda)

Reference documents :

NR0089E1 (RSC/21)
NC0182E1 (HSC/25)
NC0282E1 (HSC/26)
NC0338B2, Annex A/XI (HSC/26)

NC0340E2, Annex F/11 (HSC/26-Report)
NC0380E1 (HSC/27)
NC0403E1 (HSC/27)
NC0408E1 (HSC/27)

I. BACKGROUND

1. After the preparation of Doc. NC0380E1, the Secretariat received the following note from the Canadian Administration concerning amendments to the Explanatory Note to heading 85.18.

II. NOTE FROM THE CANADIAN ADMINISTRATION

2. "(...) The Canadian Administration has revised the proposed text as well as the background material and has the following comments.
3. It is true that the classification of electronic diagnostic foetal monitors has not been examined by the Harmonized System Committee. However, in view of the obviousness of their classification, the Canadian Administration believes that the reference to these goods in the Explanatory Note would ensure that they are distinguished from the parental listening kits of heading 85.18 and that they are not classified in that heading. Electronic diagnostic foetal monitors of a type used in the medical sciences are electro-diagnostic apparatus and are most definitely and unequivocally classified under heading 90.18. In that regard, we would point out that goods of Chapter 90 are specifically excluded from Chapter 84 and 85 by virtue

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of Note 1 (m) to Section XVI. The Canadian Administration therefore proposes that the reference to diagnostic foetal monitors be retained.

4. With respect to the choice between “kits” and “systems”, the Canadian Administration favours the use of the term “kits” as this better describes the goods at issue. We propose also that the clause “which she could subsequently play back to calm her baby down” be deleted as it adds nothing to the description of the goods. Finally, we propose that the reference to “dental” be deleted as these monitors would not be used in dental applications. (...)

III. SECRETARIAT COMMENTS

5. The Secretariat points out that the texts proposed by Canada are reproduced in the Annex hereto.

IV. CONCLUSION

6. The Committee is invited to take account of the Canadian Administration’s comments above, as well as the texts reproduced in the Annex, when examining this Agenda item.

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