



HARMONIZED SYSTEM
COMMITTEE

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O. Eng.

Brussels, 23 April 2002.

POSSIBLE AMENDMENTS TO THE EXPLANATORY NOTES TO
CHAPTER 48 TO CLARIFY THE CLASSIFICATION OF SO-CALLED
"PHOTO-COPYING" PAPER (COMMENTS BY THE US ADMINISTRATION)
(Item VIII.7 on Agenda)

Reference documents :

NC0048E1 (HSC/28)
NC0510E2, Annex H/7 (HSC/28 – Report)
NC0544E1 (HSC/29)

I. BACKGROUND

1. Following the preparation of Doc. NC0544E1, the Secretariat received, on 5 April, a note from the US Administration, containing an alternative text proposal, taking into account certain terminological difficulties with the original proposed text. The note is reproduced below.

II. NOTE FROM THE US ADMINISTRATION

2. "At its last session the Committee agreed to postpone its discussion of this proposal at the request of the US Administration to allow more time for consultation with industry. The matter of concern was the wording of the proposed amendments to ensure that they conformed with contemporary terminology as used in commercial circles.
3. Following consultations and further study of the proposed EN amendments the US Administration proposes a simplified pair of amendments that avoid the use of terms that are either ambiguous or do not accurately reflect commercial practice.

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4. Among the terminological difficulties noted in the Secretariat's suggested text are :
(1) use of the term "photocopy", which today refers only to the photographic method of duplication, and not to the current "xerographic", or dry paper-and-toner duplication process; and (2) use in this context of the phrase "used in automatic data processing machine printers", which may be taken by those in the paper industry as a reference to paper used on high speed automated printers in virtually continuous use in printing of high volume forms.
5. To avoid these difficulties, the US Administration suggests amending the Explanatory Notes to headings 48.02 and 48.10 as follows :

For EN 48.02, at (B) (5), insert after "typewriter paper" : "office printer or copier paper";

For EN 48.10, second paragraph, first sentence, after "other graphic", insert the phrase "purposes, including paper of a kind used for office printers or copiers".
6. The suggested alternative formulation, "office printer or copier" in both EN's will fully accomplish the purpose of the proposal of the Egyptian Administration by clearly distinguishing paper used in office printing and copying from the specially coated and/or multi-ply copying or transfer papers of heading 48.09."

III. SECRETARIAT COMMENTS

7. The Secretariat has no objection to the texts proposed by the US Administration. However, it would like to point out that a reference to the photocopying process is made in Note 2 to Chapter 49, which further describes the scope of the term "printed". This Note also refers to products "produced under the control of an automatic data processing machine". Nonetheless, it leaves it to the Committee to decide.
8. With respect to the proposal for heading 48.10, the Secretariat is not sure whether the text proposed (i.e., "including paper of a kind used for office printers or copiers") should be inserted as suggested by the US, or that it should be inserted after the word "purposes" in the second line of the second paragraph of the Explanatory Note to that heading. The US Delegate may wish to clarify.

IV. CONCLUSION

9. The Committee is invited to take into account the US proposal set out above, when examining the proposed amendments to the Explanatory Notes to headings 48.02 and 48.10, as set out in the Annex to Doc. NC0488E1 (HSC/28), taking into account the observations of the Secretariat in paragraphs 7 and 8 above.
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