



HARMONIZED SYSTEM
COMMITTEE

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31st Session
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NC0719E1

O. Eng.

Brussels, 28 April 2003.

STUDY TO ESTABLISH CERTAIN CRITERIA FOR THE CLASSIFICATION OF VACUUM
CLEANERS AS ELECTRO-MECHANICAL "DOMESTIC" APPLIANCES OF HEADING 85.09

(Item IX.4 on Agenda)

Reference document :

NC0709E1 (CSH/31)

I. SECRETARIAT COMMENTS

1. After the publication of Doc. NC0709E1, the Secretariat received the following comments from the Administration of **Poland** concerning the study to establish criteria for distinguishing between "domestic" vacuum cleaners of heading 85.09 and "industrial" vacuum cleaners of heading 84.79.

II. NOTE FROM THE ADMINISTRATION OF **POLAND**

2. "In connection with your letter of 10 December 2002 No. 02NL1031E - J/id concerning the study to establish criteria for distinguishing between "domestic" vacuum cleaners of heading 85.09 and "industrial" vacuum cleaners of heading 84.79, the **Polish** Customs Administration would like to explain the following.
3. The **Polish** Customs Administration, during settlement of classification vacuum cleaners, mainly follows the wording of headings 85.09 and 84.79 and the Note 3 of Chapter 85 and HS Explanatory Notes to heading 85.09.
4. In determination of the classification of above mentioned appliances we conduct assessment of their characteristics on a case-by-case basis and at each time we estimate their destination and usefulness, since quoted texts does not specify the criteria for classification of vacuum cleaners for "domestic" and "industrial" purposes.
5. The bases for determination their destinations are mainly documents presented with imported appliances, like service manual, catalogues of appliances provided by manufacturers, importer explanations, moreover we check the classification in exporter documents, etc.

Note : Shaded parts will be removed when documents are placed on the WCO documentation database available to the public.

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6. In case of dispute the Polish Customs Administration uses an expert opinions from independent sources."

III. CONCLUSION

7. The Committee is requested to take the above comments into account when examining this agenda item.
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