



HARMONIZED SYSTEM  
COMMITTEE

-  
31<sup>st</sup> Session  
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NC0722E1  
(+ Annex)

O. Fr.

Brussels, 24 April 2003.

### CLASSIFICATION OF A HEAT-SEALED CLEANING CLOTH

(Item IX.9 on Agenda)

#### Reference documents :

NR0377E1 (RSC/27)

NR0400E1, Annex D/8 (RSC/27 – Report)

#### I. BACKGROUND

1. At its 27<sup>th</sup> Session, the Review Sub-Committee examined an **EC** proposal to amend Note 7 (c) to Section XI.
2. The **EC** had classified a square polyester wipe (cleaning cloth), the edges of which are heat-sealed, as a made-up article of heading 63.07. Although Note 7 to Section XI does not mention the process explicitly, the **EC** Delegate indicated that it was a modern form of hemming and therefore proposed that the word “heat-sealed” be inserted in Note 7(c), for greater precision.
3. Several delegates expressed concern about a possible amendment of the above-mentioned Note, as proposed by the **EC**, as the process in question was not mentioned there explicitly and its inclusion might lead to a different classification of the products at issue in Section XI.
4. According to the **US** Delegate, a product which had been cut with a hot knife or scissors to prevent fraying in a simple process intended to stop the edges from fraying or unravelling could not be regarded as made-up within the meaning of Note 7 (c) to Section XI and the Note should not be amended as proposed, even for the 2007 version of the Harmonized System.
5. The Delegate of **Canada** noted that such an amendment could have repercussions on the classification of various products of Section XI and, in particular, the narrow woven fabrics of heading 58.06, but he could understand that Note 7 (c) might be interpreted more broadly in French since the French version spoke of articles whose edges had been hemmed or rolled

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“*par n’importe quel procédé*” (by any process), words for which there was no equivalent in the English text.

6. Following this exchange of views, the Sub-Committee agreed to submit the question of the classification of the product at issue to the Harmonized System Committee on the basis of a sample and additional technical information, which the EC was invited to provide.

## II. SECRETARIAT COMMENTS

### **Description of the product**

7. This document was prepared before the Secretariat had received a sample or additional information, but according to the details supplied by the EC in its initial note (see Annex to this document) the product at issue can be described as follows :

Thin knitted non-run interlock wiper of 100% polyester, square (measuring approximately 21 cm x 21 cm), with all four edges heat-sealed.
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### **Classification**

8. As far as the classification of this product is concerned, the basic issue is whether the working of the four edges, i.e., by heat-sealing, is sufficient to give it the character of a made-up article within the meaning of Note 7 (c) to Section XI.
9. According to this Note, the expression *made-up* means “hemmed or with rolled edges, or with a knotted fringe at any of the edges, but excluding fabrics the cut edges of which have been prevented from unravelling by whipping or by other simple means”.
10. The Secretariat notes that according to the first part of this Note, at least in the French version, products whose edges have been hemmed or rolled are to be regarded as made-up, whatever the process employed.
11. It is therefore the Secretariat’s opinion that an article whose edges have been sealed by a thermal process should only be regarded as made-up if the operation was carried out in order to obtain a hem, that is to say a fold in the fabric designed to finish off the edge.
12. Conversely, a fabric whose edges had been sealed by a thermal process but left otherwise unworked, solely for the purpose of preventing fraying, should not be regarded as made-up and should fall in the category mentioned in the second part of Note 7 (c), that is to say, “fabrics the cut edges of which have been prevented from unravelling by whipping or by other simple means”.
13. According to the “Dictionnaire des Industries”, *heat-sealing* is “a process for bonding two or more products in thin layers, at least one of which is thermoplastic and of small thickness, by heating the surfaces in contact to the melting point of the thermoplastic material, the bond being generally completed by the application of pressure”, whereas *heat welding* is “an operation consisting of assembling hermetically with the aid of heat-treated polyethylene film”.
14. Moreover, an Internet search yielded certain further information concerning heat welding at the site <http://www.dorey.fr/thermos.htm>. Thus, there are hot-air welding machines for the thermoplastic and industrial fabric industries and “hot-iron” welding machines that can be used for assembling tents, tarpaulins, covers, etc.

15. The hot iron is described as “an aluminium part in which two heating cartridges are inserted to generate heat. The iron thermally bonds the material by contact, that is to say, the material enters into contact with the upper and lower parts of the iron, resulting in welding by the release of heat. The machine can perform welding operations using laps, hems, peelings, etc.”

### III. CONCLUSION

16. The Sub-Committee is invited to examine the question of the classification of the product described in paragraph 7 above, taking into account the Secretariat’s comments in paragraphs 8 to 15, to rule on the interpretation to be given to Note 7 (c) to Section XI and to indicate whether that Note should be amended.

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**NOTE FROM THE EC**

1. The EC has classified a knitted non-run interlock wiper with all four edges heat-sealed in CN Code 6307 10. The description of the article, its classification and the grounds for the classification are set out below.

Description (1)	CN Code (2)	Reasons (3)
1. Thin knitted non-run interlock wiper of 100% polyester measuring approximately 21 cm x 21 cm. All four edges are heat-sealed.  (Cleaning cloth)	6307 10 10	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 7 (c) to Section XI, Note 1 to Chapter 63 and by the wording of CN codes 6307, 6307 10 and 6307 10 10.  Due to the fact that the edges are heat-sealed, the article is considered to be made-up. See also the HS Explanatory Notes to Section XI, General, (II), "Made-up articles", point 3.  See also the HS Explanatory Notes to heading 63.07, point 1.

2. At the moment there is nothing in Note 7 to Section XI about edges that have been "heat-sealed", regarded as a modern form of "hemming" within the meaning of Note 7 (c) to Section XI.

**Proposal**

3. Being concerned to obtain increased precision we propose that the word "heat-sealed" (FR: *thermoscellés*) be inserted in Note 7 (c) to Section XI :

7. For the purposes of this Section, the expression "made-up" means :

[...]

- c) Hemmed or with rolled or heat-sealed edges, or with a knotted fringe at any of the edges, but excluding fabrics the cut edges of which have been prevented from unravelling by whipping or other simple means;"