



HARMONIZED SYSTEM  
COMMITTEE

NC0365E1

-  
27<sup>th</sup> Session  
-

O. Eng.

Brussels, 16 March 2001.

MATTERS FOR DECISION BY THE HARMONIZED SYSTEM COMMITTEE

(Item V.2 on Agenda)

Reference document :

NS0034E2 (SSC/16 - Report)

1. The Harmonized System Committee is invited to examine the conclusions of the Scientific Sub-Committee (16<sup>th</sup> Session, January 2001) which are summarized below with reference to the relevant Annexes to the Sub-Committee's Report (Doc. NS0034E2).

Annexes A/1 and C/1 - Classification of certain INN products and pharmaceutical intermediates

2. The Sub-Committee examined the classification of 64 products from INN List 82 (Annex I to Doc. NS0016E1). The list of products and their suggested classifications are set out in Part I of Annex C/1 to the Sub-Committee's Report. The items whose classification has not been settled have been placed in square brackets.
3. The Sub-Committee also examined the classification of 50 products from INN List 83 (Annex to Doc. NS0027E1). The list of products and their suggested classifications are set out in Part II of Annex C/1 to the Sub-Committee's Report. The items whose classification has not been settled have been placed in square brackets.
4. The Sub-Committee further examined the classification of 12 INN products on which action had been postponed at its 15<sup>th</sup> Session (Annex II to Doc. NS0016E1). The list of these products and their suggested classifications are set out in Part III of Annex C/1 to the Sub-Committee's Report. Four items, namely Leridistim, Pegacaristim, Pegnartograstim and Fondaparin sodium, whose classification has not been settled, have been placed in square brackets.
5. **The Committee is invited to approve the classifications suggested by the Sub-Committee. It is also invited to note that the classifications placed in square brackets will be re-examined by the Sub-Committee at its next session.**

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Annexes A/2 and C/2 – Amendments to the Nomenclature and the Explanatory Notes to clarify the classification of co-ordination compounds

6. The Sub-Committee examined this question in the light of the documents relating to : (1) a new Note 5 (c) (3) to Chapter 29 proposed by the Swiss Administration (Annex to Doc. NS0017E1), and an alternative proposal by the Canadian Administration and (2) a new Note 5 (d) to Chapter 29 proposed by the French Administration (Annex to Doc. NS0030E1). The Sub-Committee decided to adopt Canada's alternative proposal, subject to certain modifications. It also decided that at its next session it would re-examine the amendments to the Explanatory Notes on the basis of a new document.

7. **The Committee is invited to provisionally approve the texts relating to Note 5 (c) (3) to Chapter 29 proposed by the Sub-Committee. It is also invited to note that the Sub-Committee will re-examine the corresponding amendments to the Explanatory Notes placed in square brackets at its next session.**

Annex A/3 – Review of the classification of certain INN products

8. The Sub-Committee reviewed the classification of the two INN products in question, namely midaxifylline and corifollitropin alfa, and recommended classification in subheadings 2939.50 and 2934.90, respectively.

9. **The Committee is invited to approve the classifications recommended by the Sub-Committee.**

Annex A/4 – Amendment of the Subheading Explanatory Notes to subheadings 2932.29 and 2933.79

10. The Sub-Committee examined the Mexican Administration's proposal to amend the Subheading Explanatory Notes to subheadings 2932.29 and 2933.79 on the basis of the criteria specified in paragraphs 7.A (2), (3) and (5) to Doc. 37.886. The Mexican Administration had requested that the examination of its question be based on the classification of the following products : zopiclone, bromazepam and sildenafil citrate.

11. The Sub-Committee agreed that zopiclone should be classified in subheading 2933.79, in accordance with the principles specified in paragraph 7.A (2) to Doc. 37.886, bromazepam in subheading 2933.39 on the basis of GIRs 1 and 6, and sildenafil citrate as a sulphonamide in subheading 2935.00.

12. The Sub-Committee also agreed that only paragraphs 7.A (2) and (5) to Doc. 37.886 could usefully be incorporated in the Subheading Explanatory Notes to subheadings 2932.29 and 2933.79. Administrations were invited to send the Secretariat their comments in this connection with a view to the preparation of a new document on the possible amendment of the Explanatory Notes for examination at the next sessions of the Sub-Committee.

13. The Sub-Committee did not consider it necessary to include the expression "in bridged systems" in the Subheading Explanatory Notes to subheadings 2932.29 and 2933.79.

14. **The Committee is invited to approve the classifications recommended by the Sub-Committee and to note that the latter will re-examine the Subheading Explanatory Notes to subheadings 2932.29 and 2933.79 at its next session.**

Annexes A/5 and C/3 – Proposal by the Canadian Administration to amend the Nomenclature and Explanatory Notes to Chapter 54

15. The Sub-Committee examined the proposed amendments to Note 1 (introductory paragraph and subparagraphs (a) and (b)), to Chapter 54 (see Annex II to Doc. NS0020E1).
16. With regard to subparagraph (a), the Sub-Committee agreed that there was no substantive difference between the two texts in square brackets. It then noted that the use of the plural was indicated for the generic names of polymer families.
17. With regard to subparagraph (b), the Sub-Committee agreed that in the manufacturing of certain fibres the natural polymers were physically transformed by dissolution and chemical treatment processes. It also decided that viscose rayon should be mentioned as an example of a product obtained by treating cellulose. Finally, subject to minor modifications, it approved the proposed text.
18. **The Committee is invited to note that the conclusions of the Scientific Sub-Committee have been communicated to the Review Sub-Committee (cf. Item VI on Agenda).**

Annexes A/6 and C/4 – Classification of certain chemical products relating to the Chemical Weapons Convention

19. The Sub-Committee examined the classification of 929 Chemical Weapons Convention products (see the Annex to Doc. NS0021E1). The list of products and their suggested classifications are set out in Annex C/4 to the Sub-Committee's Report. The items whose classification has not been settled have been placed in square brackets.
20. **The Committee is invited to approve the classifications suggested by the Sub-Committee. It is also invited to note that the latter will re-examine the classifications placed in square brackets at its next session.**

Annexes A/7 and C/5 – Classification of certain chemical products in the Harmonized System Commodity Data Base

21. The Sub-Committee decided to recommend classification of Fonofos in subheading 2930.90, and Ciprofloxacin and Enrofloxacin in subheading 2933.59.
22. In view of conflicting technical information, it suggested that the reference to Neodecanoic Acid be deleted from the data base.
23. The Sub-Committee also examined the classification of 9 other items listed by the Secretariat in the Annex II to Doc. NS0022E1. The Sub-Committee's suggested classifications and observations are set out in Annex C/5 to the Sub-Committee's Report. The products Prasterone, Tibolone and Thymostimuline (INN) were left in square brackets, together with their suggested potential classifications, for examination at the next session of the Sub-Committee.
24. **The Committee is invited to approve the classifications proposed by the Sub-Committee. It is also invited to note that the latter will re-examine the classifications placed in square brackets at its next session.**

Annexes A/8 and C/6 – Proposal by the Japanese Administration to amend subheading 3004.32

25. The Sub-Committee examined the Japanese proposal and agreed that the conjunction “or” should have been used instead of "and" in the text of the HS 2002 version of subheading 3004.32.

26. **The Committee is invited to provisionally approve the texts proposed by the Sub-Committee for the amendment of subheading 3004.32 in the 2007 version of the HS.**

Annex A/9 – Classification of the product "MYKON ATC Blue"

27. The Sub-Committee examined the classification of the product "MYKON ATC Blue" and agreed that, in the context of Note 1 (g) to Chapter 29, this product should be excluded from Chapter 29. In view of the presence of carboxymethylcellulose, it should fall in heading 38.24.

28. **The Committee is invited to take into account the conclusions of the Sub-Committee when it examines the classification of this product under Item VIII.16 on the Agenda.**

Annex B/1 – Oral report by the Chairman on the 1st Conference of European Customs Chemists

29. The Chairman informed the Sub-Committee of the results of this 1<sup>st</sup> Conference. The Sub-Committee congratulated the Italian Administration on the success of the Conference.

30. **The Committee is invited to take note.**

Annex B/2 – Regional seminar on Customs laboratories

31. The Sub-Committee was informed of the Secretariat's initiative involving the organization of regional seminars to keep administrations abreast of developments relating specifically to Customs laboratory matters.

32. **The Committee is invited to take note.**

Annex B/3 – WCO Web site discussion forum on Customs laboratory issues

33. The Sub-Committee was informed of the Secretariat's intention to add a page for a discussion forum on Customs laboratory issues to the WCO Web site.

34. **The Committee is invited to take note of the progress made with regard to this question (see also Item II.7 on Agenda).**

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