



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES

Established in 1952 as the Customs Co-operation Council
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HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

-
21st Session
-

NR0077E1
(+ Annex)
O. Eng.

Brussels, November 1999.

AMENDMENT OF THE EXPLANATORY NOTES TO CHAPTER 20
REGARDING BRIX VALUE
(Item II.A.4 on Agenda)

Reference document :

NR0072E2, Annexes C (paragraph 14) and D/4 (RSC/20 Report)

I. BACKGROUND

1. At the Review Sub-Committee's 20th Session (September 1999), one delegate proposed to insert an explanation of the expression "Brix value" in the Explanatory Note to heading 20.09 in order to reflect the content of new Subheading Note 3 to Chapter 20. The Sub-Committee, therefore, instructed the Secretariat to further study this issue for the next meeting.

II. PREVIOUS DISCUSSIONS ON THE AMENDMENTS TO HEADING 20.09

2. The Review Sub-Committee, at its 11th Session, examined a proposal of the Food and Agriculture Organization of the United Nations (FAO) to create new subheadings for "concentrated fruit juices" in heading 20.09 and agreed that concentrated juices of orange, grapefruit, other single citrus fruit, pineapple, grape and apple should be separately identified. However, it was also agreed that the Scientific Sub-Committee should be requested to examine the question of analytical methods and thresholds for different kinds of juices for distinguishing their concentrated forms.

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3. Based on the information provided by administrations and specialized international organizations, the Scientific Sub-Committee, at its 9th and 10th Sessions, examined these questions and concluded that the Brix method could be used to make a distinction between concentrated and normal juices provided no adulteration was involved, and that the subdivisions for fruit juices should be based on Brix values rather than the concept of “concentrated or not”. Subsequently, these conclusions were supported by the Review Sub-Committee at its 13th Session and amendments to the legal texts and Explanatory Notes to create new subheadings 2009.12, 2009.21, 2009.31, 2009.41, 2009.61 and 2009.71 on the basis of Brix values were provisionally adopted by the Harmonized System Committee at its 19th Session (Doc. 41.100, Annexes G/2 and K/7). The amendments to the legal texts were then adopted at the 23rd Session of the Harmonized System Committee (see Doc. NC0090B2, Annex Q).

II. SECRETARIAT COMMENTS

4. According to the Explanatory Note to heading 20.09, page 162, second paragraph, juices of this heading may be concentrated. The text reads as follows :

“The juices of this heading may be **concentrated** (whether or not frozen) or in the form of **crystals or powder** provided, in the latter case, that they are entirely or almost entirely soluble in water. Such products are usually obtained by processes involving either heat (whether or not in a vacuum) or cold (lyophilisation).”
5. To clarify the classification of such juices, the Secretariat is of the opinion that a reference to the new Subheading Note 3 could be introduced in the relevant part of the Explanatory Notes and, therefore, proposes the insertion of the following new paragraph after the second paragraph :

“Certain concentrated juices (orange, grapefruit, any other single citrus fruit, pineapple, grape or apple) can be identified on the basis of their Brix value (see Subheading Note 3 to this Chapter).”
6. A proposal to this effect is reproduced in the Annex to this document.

III. CONCLUSION

7. The Sub-Committee is invited to consider the proposal for amending the Explanatory Note to heading 20.09, as set out in the Annex, taking into account the comments of the Secretariat in paragraphs 4 and 5 above.

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Annexe au
Doc. NR0077B1
Annex to
(SCR/21/fév. 2000)
(RSC/21/Feb. 2000)

ANNEXE

MODIFICATIONS DES NOTES EXPLICATIVES DES N°20.09
DECOULANT DE LA RECOMMANDATION DU 25 JUIN 1999

DANS LE CADRE DE L'ARTICLE 16

(Point II.A.4 de l'ordre du jour)

ANNEX

AMENDMENT OF THE EXPLANATORY NOTE TO HEADING 20.09
CONSEQUENTIAL UPON THE ARTICLE 16 RECOMMENDATION OF 25 JUNE 1999

(Item II.A.4 on Agenda)

Annexe au doc. NR0077B1
(SCR/21/fév. 2000)

PROCEDURE DE L'ARTICLE 16
MODIFICATIONS DES NOTES EXPLICATIVES

Page 162. N° 20.09. Nouveau troisième paragraphe.

(To be translated)

Annexe au
Doc. NR0077B1
Annex to

(SCR/21/fév. 2000)
(RSC/21/Feb. 2000)

ARTICLE 16 PROCEDURE
AMENDMENTS TO THE EXPLANATORY NOTES

Page 162. Heading 20.09. New third paragraph.

Insert the following new third paragraph :

“Certain concentrated juices (orange, grapefruit, any other single citrus fruit, pineapple, grape or apple) can be identified on the basis of their Brix value (see Subheading Note 3 to this Chapter).”
