



HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

NR0124E1

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22nd Session
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O. Eng.

Brussels, 6 July 2000.

POSSIBLE AMENDMENT OF NOTE 3 (a) TO CHAPTER 64

(Item III.B.14 on the Agenda)

I. SECRETARIAT COMMENTS

1. It was pointed out to the Secretariat during a Harmonized System seminar that the French version of Note 3 (a) to Chapter 64 poses comprehension problems. In fact, the last part of this Note refers to "des changements de couleur provoqués par ces opérations", whereas the said Note does not mention any operation to which the article "cet" (that) might refer.
2. The Secretariat recalls that this Note was amended in 1996 following a US proposal to delete, in the English version, the expression "visibly coated or covered" and substitute "visibly coated, covered or laminated" so as to take account of the existence of footwear comprising textile materials laminated with plastics or rubber.
3. The Sub-Committee agreed that it was not essential, for the application of the Note, to specify the various methods of applying a layer of plastics or rubber to the textile material and that it was therefore not vital to mention these manufacturing methods in the text. It therefore decided to align the English text on the French, by deleting "visibly" and substituting "visible to the naked eye" and by specifying that for the purpose of this provision, no account should be taken of any change in colour.
4. When finalizing these texts (RSC/6 – January 1992), it was decided to add the text in question, namely "provoqués par ces opérations", as an editorial amendment to the French version (Doc. 37.220, Annex II, paragraph 7 - RSC/6, Report).
5. The Secretariat agrees that the French version of this Note poses comprehension problems and proposes amending the second part as follows :
 - Either align the French version on the English version so that the second part would read "il est fait abstraction, pour l'application de cette disposition, de tout changement de couleur;"

File No. 2446

- Or specify the operations at issue (as initially proposed by the United States), i.e., replace "par ces opérations" with "par le recouvrement, l'enduction ou la stratification". In this case, the Sub-Committee would have to rule on whether or not to also amend the English text to better align the two versions.
- Or replace the expression "par ces opérations" with "par les opérations d'obtention de cette couche extérieure".

II. CONCLUSION

6. On the basis of the Secretariat's comments above, the Sub-Committee is invited to decide whether Note 3(a) to Chapter 64 should be amended. If so, it is invited to rule on the choice of alternative and, should the second option be adopted, to indicate whether or not the English version should also be amended.
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