



HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

-
26th Session
-

NR0299E1
(+ Annex)

O. Eng.

Brussels, 25 June 2002.

COMPREHENSIVE REVIEW OF THE EXPLANATORY NOTES

POSSIBLE AMENDMENT OF THE EXPLANATORY NOTE TO HEADING 30.02

(Item III.C.5 on Agenda)

Reference documents :

NS0038E1 (SSC/17)
NS0060E2, Annexes A/1 and C/1 (SSC/17 – Report)
NC0590, Annexes E/1 and L/10 (HSC/29 – Report)

I. BACKGROUND

1. The Secretariat has prepared a list of items which may require amendments to the Explanatory Notes, mainly on the basis of certain classification issues discussed at previous sessions of the Scientific Sub-Committee, and invited administrations to put forward their proposals regarding these areas as well as any other proposals they might have within the framework of the comprehensive review of the Explanatory Notes (see letter No. 02NL0297 - PK/FI of 10 April 2002).
2. At the time of preparing this document the Secretariat had not yet received comments and proposals from administrations concerning the possible amendment of the Explanatory Notes to heading 30.02 with a view to clarifying the classification of modified immunological products.

II. SECRETARIAT COMMENTS

3. At its 17th Session the Scientific Sub-Committee discussed the classification of certain chemical products in connection with Note 2 to Chapter 30 (see Annexes A/1 and C/1 to Doc. NS0060E2). Due to the restrictive nature of Note 2 to Chapter 30, which defined the modified immunological products of heading 30.02, the Scientific Sub-Committee felt that the products discussed should be classified elsewhere than in heading 30.02, depending on their chemical structure. The Harmonized System Committee, at its 29th Session, approved this classification (see Annexes E/1 and L/10 to Doc. NC0590E2).

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5. In order to provide guidance with regard to the interpretation of Note 2 to Chapter 30, the Secretariat considers that some of the above-mentioned products could be reflected in the Explanatory Notes as examples.
6. Leridistim (INN) was classified as a heterocyclic compound in heading 29.34 based on its chemical structure (see Annexes E/1 and L/10 to Doc. NC0590E2). It should be noted that being a fusion protein resulting from a combination of two different types of colony stimulating factors, leridistim did not meet the criteria set out in Note 2 to Chapter 30 and therefore its classification as modified immunological products in heading 30.02 was ruled out (see Annex to Doc. NS0038E1 and Annex A/1 to Doc. NS0060E2). On that basis, the Secretariat has chosen leridistim as an exclusion example in the Explanatory Note to heading 30.02. The proposed text is set out in the Annex to this document.
7. The Secretariat would, however, like to point out that it has no information as to whether this product is significant enough in international trade to be reflected in the Explanatory Notes.

III. CONCLUSION

8. Taking into account the Secretariat's comments above, the Review Sub-Committee is invited to consider the proposed amendment of the Explanatory Note to heading 30.02, as set out in the Annex to this document.

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