



WORLD CUSTOMS ORGANIZATION  
ORGANISATION MONDIALE DES DOUANES

Established in 1952 as the Customs Co-operation Council  
Créée en 1952 sous le nom de Conseil de coopération douanière

HARMONIZED SYSTEM  
REVIEW SUB-COMMITTEE

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

NR0392E1  
(+ Annex)  
O. Eng.

Brussels, 26 February 2003.

POSSIBLE AMENDMENTS TO SUBHEADING 8543.30 AND THE EXPLANATORY  
NOTE TO HEADING 85.43 TO ALIGN THE FRENCH ON THE ENGLISH TEXTS

(Item III.B.15 on Agenda)

I. BACKGROUND

1. In a letter dated 20 September 2002 the Secretariat received a comment from Croatia that there may be a misalignment of the French and English texts to subheading 8543.30. The two texts read as follows :

<b>Système harmonisé 2002</b>	<b>Harmonized System 2002</b>
8543.30 Machines et appareils de galvanotechnique, électrolyse ou électrophorese	8543.30 Machines and apparatus for electroplating, electrolysis or electrophoresis

II. PROPOSAL BY THE SECRETARIAT

2. After a review of the term “galvanotechnique” used in the French text, the Secretariat is of the opinion that it is a broader term than the term “electroplating,” which is used in the English text. Whereas the other two terms used in subheading 8543.30 appear to have the same meaning in the French and English texts, it appears that “galvanotechnique” and “electroplating” do not have the same meaning.

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3. The Explanatory Note to heading 85.43 provides some understanding as to the intended scope of the language to subheading 8543.30. The following texts are taken from the Explanatory Note, item (10), at the top of page 1703 :

SH Notes explicatives (2002)	HS Explanatory Notes (2002)
10) Les <b>appareils d'électrolyse, de galvanoplastie, d'électrophorèse, autres que</b> les appareils d'électrophorèse du n° 90.27.	(10) <b>Machines and apparatus for electroplating, electrolysis or electrophoresis (other than</b> electrophoresis instruments of <b>heading 90.27).</b>

4. The term used in the French version of the Explanatory Notes is “galvanoplastie” when referring to the process described in English as “electroplating.” As indicated in the following definitions, the term “galvanoplastie” appears to reflect more accurately the process of “electroplating” and the term “galvanotechnique” appears to have a much broader meaning than the term used in English. The various terms may be defined as follows :

electroplating : the process of applying a metallic coating to an article by passing an electric current through an electrolyte in contact with the article (*Kirk-Othmer – Encyclopedia of Chemical Technology, Volume 9, Fourth edition, page 277*);

electrolysis : means of producing chemical changes through reactions at electrodes in contact with an electrolyte (a material which conducts an electric current when it is fused or dissolved in a solvent, usually water) by the passage of an electric current (*McGraw-Hill Encyclopedia of Science & Technology, Volume 6, page 170*);

electrophoresis : a separation technique most often applied to the analysis of biological or other polymeric samples; the term refers to the movement of a solid particle through a stationary fluid under the influence of an electric field (*Kirk-Othmer – Encyclopedia of Chemical Technology, Volume 9, Fourth edition, page 356*);

[galvano]technique : [. . .]; 2. ensemble des applications de la science dans le domaine de la production [par courant électrique] (*Le Petit Larousse Illustré 2002, page 994*) (*Secretariat translation* : all the applications of science in the field of production [by electric current])  
(Note : the term “galvanotechnique” does not appear in the reference books consulted by the Secretariat);

galvanoplastie : ensemble des procédés permettant de déposer, par électrolyse, une couche d'un métal sur un support métallique ou non (*Grand Larousse Universel, Volume 7, page 4654*) (*Secretariat translation* : all the processes of coating using an external current source);

électrolyse : décomposition chimique produite par un courant électrique (*Grand Larousse Universel, Volume 5, page 3638*) (*Secretariat translation* : chemical decomposition produced by an electric current);

électrophorèse : déplacement, sous l'effet d'un champ électrique, de macromolécules, de particules, de grains chargés, en solution ou en émulsion (*Grand Larousse Universel, Volume 5, page 3646*) (*Secretariat translation* : movement of macromolecules under the influence of an electric field, in a solution or an emulsion).

5. From the foregoing the Secretariat would conclude that the term “galvanoplastie,” as used in the French version of item (10) of the Explanatory Note to heading 85.43, on page 1703, has the same scope as the term “electroplating”, which is used in the English version of subheading 8543.30 and item (10). We would also conclude that the term “galvanotechnique”, as used in the French version of subheading 8543.30, could have a broader scope than the English word “electroplating”, since the former refers to any application in which electricity is used.
6. Therefore, the Secretariat would propose that the French text for subheading 8543.30 be amended by deleting the term “galvanotechnique” and substituting the term “galvanoplastie” in order to align the French and English texts. It is also suggested that the order of the various processes in item (10) of the Explanatory Note to heading 85.43 be aligned in the French on the English text so that item (10) would read as follows : “(10) Les **appareils de galvanoplastie, d'électrolyse, d'électrophorèse, autres que** les appareils d'électrophorèse du n° 90.27.” This would reflect the order listed in the subheading text. These proposals are set out in the Annex to this document.

### III. CONCLUSION

7. The Sub-Committee is invited to take account of the above comments and the proposals in paragraph 6 when it examines this agenda item.

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