



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

-  
28<sup>th</sup> Session  
-

NR0432E1  
(+ Annex)

O. Eng.

Brussels, 15 July 2003.

COMPREHENSIVE REVIEW OF THE EXPLANATORY NOTES

POSSIBLE AMENDMENT OF THE EXPLANATORY NOTES

TO HEADINGS 84.60 TO 84.85

(Item III.C.4 on Agenda)

Reference documents :

NR0303E1 (RSC/26)

NR0304E1 (RSC/26)

NR0400E3 – Annex E/4 (RSC/27 - Report)

NR0332E2 – Annex E/11 (RSC/26 - Report)

NR0358E1 (RSC/27)

I. BACKGROUND

1. At its 27<sup>th</sup> Session, the Sub-Committee continued its discussion on the possible amendment of the Explanatory Notes to headings 84.60 to 84.85.
2. Although there was general agreement with many of the proposed amendments, the Sub-Committee felt that certain remaining questions should be resolved before the amendments were approved. In order to identify the remaining questions, the Sub-Committee agreed to place square brackets around those texts for which further discussion was necessary. The Sub-Committee agreed to address these texts at its next session on the basis of additional proposals from administrations, review of additional technical information by administrations, and, where appropriate, redrafted language based on an editorial review by the Secretariat. All the other proposals were agreed upon and will be reviewed, if necessary, when the Sub-Committee considers the specific texts that remain in square brackets.

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3. The texts for which there was general agreement and those placed in square brackets are reproduced in the Annex to this document.

## II. SECRETARIAT COMMENTS

4. At the time of preparing this document, the Secretariat had not received additional proposals or additional technical information from administrations. The texts in square brackets in the Annex call for the following comments.

### **Heading 84.67.**

Pages 1566 to 1567.

5. The **US** Delegate stated that his administration would submit comments for a new proposal to amend the Explanatory Notes concerning certain tools for working in the hand of heading 84.67.

### **Heading 84.72.**

Page 1585. New item (22).

6. Comments were made by three delegates at the previous session of the RSC with regard to the proposal to insert new item (22). The **EC** Delegate again noted that, if the text of new item (22) were added, it would be appropriate to insert a corresponding exclusion in the Explanatory Notes to heading 84.72 for sorters of heading 90.09. One delegate proposed the insertion of the term "stand-alone" at the beginning of the text and deletion of the phrase "after duplication" at the end of the text. The Delegate of **Japan** agreed and indicated that this would satisfy the concerns of his administration.
7. However, the **EC** Delegate was not certain as to the meaning of the term "stand-alone" and, furthermore, he noted that it was appropriate to balance the new inclusion with an exclusion for sorters that were specified in heading 90.09. He suggested that new exclusion (c) for "sorters of heading 90.09 should be inserted. The **US** Delegate did not agree with the exclusion, but, as an alternative, suggested that the text should read as "sorters, which are parts or accessories solely or principally used with machines of heading 90.09".
8. The Sub-Committee agreed to place the amended proposal for new item (22) and the proposal for a new exclusion (c) in square brackets for consideration at its next session.

## III. CONCLUSION

9. The Review Sub-Committee is invited to examine the draft amendments placed in square brackets in the Annex to this document, taking into account the Secretariat's comments in paragraphs 4 to 8 above.

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