



HARMONIZED SYSTEM
COMMITTEE

-
23rd Session

-

NC0015E1

O. Eng.

H6-05

Brussels, 27 April 1999.

DRAFT RECOMMENDATION CONCERNING OZONE LAYER DEPLETING SUBSTANCES

(Item IV.2 on Agenda)

Reference documents :

- 42.050 (HSC/21)
- 42.100, Annex D/3 (HSC/21 – Report)
- 42.405 (HSC/22)
- 42.750, Annexes D/2 and N/2 (HSC/22 - Report)

I. BACKGROUND

1. At its 22nd Session, the Harmonized System Committee discussed the UNEP request for the separate identification of additional ozone layer depleting substances (HCFCs and certain mixtures containing Ozone Depleting Substances (ODSs)) in a new Council Recommendation concerning national statistical subdivisions.
2. The Committee provisionally adopted the draft Recommendation proposed by the Secretariat in Annex III to Doc. 42.405, subject to certain editorial modifications. It was also agreed to finally adopt the text at the next session, taking into account any comments to be received from administrations during the intersession (see Annexes D/2 and N/2 to Doc. 42.750, HSC/22 - Report).

II. COMMENTS FROM NORWAY

3. On 8 December 1998, the Secretariat received comments on the provisionally adopted Recommendation from the Norwegian Customs Administration. Extracts from the Norwegian comments are set out below :

File No. 2210

4. "We have noticed that the list of products covered in the draft Recommendation is quite lengthy and that it will be technically impossible for Norway to accept a Recommendation based on this draft. The reason for this statement is the requirement to create national subdivisions for each product separately. The system of our national tariff allows us to create only nine subdivisions under each HS subheading.
5. Our proposal to solve this problem is to allow Member Administrations to group together two or more of the products in question, similar to the proposal made for amending the Recommendation on the insertion in national statistical nomenclatures of subheadings for substances controlled under the Single Convention on Narcotic Drugs (ref. Annex N/1 to Doc. 42.750)."

III. SECRETARIAT COMMENTS

6. It should first be noted that the provisionally adopted Recommendation recommends that Member Administrations insert the following numbers of additional subdivisions under each subheading concerned in their statistical nomenclatures :
 - (i) One subdivision under subheading 2903.19
 - (ii) Ten subdivisions under subheading 2903.45
 - (iii) Eight subdivisions under subheading 2903.49
 - (iv) One subdivision under subheading 3813.00
 - (v) Two subdivisions under subheading 3824.90
7. According to Norway, its tariff system allows it to create only nine subdivisions under each subheading. Norway would therefore have a problem only for creating the ten additional subdivisions under subheading 2903.45 in its statistical nomenclature (paragraph 6 (ii) above).
8. There are two possible solutions to this problem. One is to ask the UNEP to reduce the number of subdivisions under subheading 2903.45, just as the number of subdivisions for HCFCs under subheading 2903.49 was reduced from 11 to 8 (9 including residual subdivision) (see paragraph 13 of Doc 42.405). The other is to amend certain clauses in the provisionally adopted Recommendation to allow Member Administrations to group together two or more of the recommended subdivisions under subheading 2903.45, as suggested by Norway.
9. In this connection, it should be recalled that the provisionally adopted Recommendation includes the substances covered by the existing 1995 Recommendation, plus the new substances (HCFCs and certain mixtures containing ODSs) requested for inclusion by the UNEP (see paragraphs 3 and 13 of Doc. 42.405).

10. The Secretariat would point out that the substances relevant for the Norwegian problem are covered by the existing 1995 Recommendation. Since many administrations have already accepted the 1995 Recommendation (29 Members, at the end of 1998), reducing the number of those subdivisions for the same substances in the new Recommendation (first option in paragraph 8 above) would lead to problems for those administrations when applying the new Recommendation.
11. Consequently, it seems appropriate to amend certain clauses in the provisionally adopted Recommendation to allow Member Administrations to group together two or more of the subdivisions (second option in paragraph 8 above). The Secretariat therefore proposes replacing two of the existing clauses as follows :
- “RECOMMENDS that Member Administrations and Contracting Parties to the Harmonized System Convention take all appropriate action to insert the following additional subdivisions in their statistical nomenclatures as soon as possible, either separately or grouped together where necessary to meet national requirements.”
- ”REQUESTS Member Administrations and Contracting Parties to the Harmonized System Convention to notify the Secretary General of their acceptance of this Recommendation and of date of its application and, where applicable, to specify which items have been grouped together.”
12. On the above basis, the Secretariat has revised and appended the provisionally adopted Recommendation.

IV. CONCLUSIONS

13. The Committee is invited to examine the new draft Recommendation concerning ozone layer depleting substances, set out in the Annex hereto.

x

x x

ANNEXE

PROJET DE RECOMMANDATION RELATIVE A L'INSERTION DANS LES
NOMENCLATURES STATISTIQUES NATIONALES DE SOUS-POSITIONS
DESTINEES A FACILITER LE RECUEIL ET LA COMPARAISON
DES DONNEES CONCERNANT LA CIRCULATION A L'ECHELON INTERNATIONAL
DES SUBSTANCES REGLEMENTEES CONFORMEMENT AUX AMENDEMENTS AU
PROTOCOLE DE MONTREAL
RELATIF AUX SUBSTANCES QUI APPAUVRISSENT LA COUCHE D'OZONE
(Point IV.2 de l'ordre du jour)

ANNEX

DRAFT RECOMMENDATION ON THE INSERTION IN NATIONAL STATISTICAL
NOMENCLATURES OF SUBHEADINGS TO FACILITATE THE COLLECTION
AND COMPARISON OF DATA ON THE INTERNATIONAL MOVEMENT
OF SUBSTANCES CONTROLLED BY VIRTUE OF AMENDMENTS
TO THE MONTREAL PROTOCOL
ON SUBSTANCES THAT DEplete THE OZONE LAYER
(Item IV.2 on Agenda)

DRAFT RECOMMENDATION
OF THE CUSTOMS CO-OPERATION COUNCIL
ON THE INSERTION IN NATIONAL STATISTICAL NOMENCLATURES
OF SUBHEADINGS TO FACILITATE THE COLLECTION AND COMPARISON
OF DATA ON THE INTERNATIONAL MOVEMENT OF SUBSTANCES
CONTROLLED BY VIRTUE OF AMENDMENTS TO THE MONTREAL PROTOCOL
ON SUBSTANCES THAT DEplete THE OZONE LAYER

(June 1999)

[THE CUSTOMS CO-OPERATION COUNCIL,

CONSIDERING the continuing urgent need to monitor the international trade in substances that deplete the ozone layer,

TAKING INTO ACCOUNT the request by the United Nations Environment Programme to introduce further specific subheadings in the Harmonized System in order to facilitate the collection and comparison of data on the international movement of additional substances controlled by virtue of the amendments to the Montreal Protocol adopted in June 1990 (London) and November 1992 (Copenhagen),

HAVING REGARD TO the Recommendation of 20 June 1995,

NOTING that Member Administrations and Contracting Parties to the Harmonized System Convention which had accepted the Recommendation of 20 June 1995 would automatically cease to apply that Recommendation when accepting this Recommendation,

RECOMMENDS that Member Administrations and Contracting Parties to the Harmonized System Convention take all appropriate action to insert the following additional subdivisions in their statistical nomenclatures as soon as possible, either separately or grouped together where necessary to meet national requirements :

Subheading 2903.19 of the Harmonized System

- - - 1,1,1-Trichloroethane (methyl chloroform)

Subheading 2903.45 of the Harmonized System

- - - Chlorotrifluoromethane

- - - Pentachlorofluoroethane

- - - Tetrachlorodifluoroethanes

- - - Heptachlorofluoropropanes
- - - Hexachlorodifluoropropanes
- - - Pentachlorotrifluoropropanes
- - - Tetrachlorotetrafluoropropanes
- - - Trichloropentafluoropropanes
- - - Dichlorohexafluoropropanes
- - - Chloroheptafluoropropanes

Subheading 2903.49 of the Harmonized System

- - - Chlorodifluoromethane
- - - Dichlorotrifluoroethanes
- - - Chlorotetrafluoroethanes
- - - Dichlorofluoroethanes
- - - Chlorodifluoroethanes
- - - Dichloropentafluoropropanes
- - - Other derivatives of methane, ethane or propane halogenated only with fluorine and chlorine
- - - Derivatives of methane, ethane or propane halogenated only with fluorine and bromine

Subheading 3813.00 of the Harmonized System

- - - Preparations and charges for fire-extinguishers containing chlorotetrafluoroethane, dichlorotrifluoroethane or chlorodifluoromethane

Subheading 3824.90 of the Harmonized System

- - - Mixtures containing chlorotetrafluoroethane, chlorodifluoroethane or chlorodifluoromethane
- - - Mixtures containing methylbromide

and

REQUESTS Member Administrations and Contracting Parties to the Harmonized System Convention to notify the Secretary General of their acceptance of this Recommendation and of the date of its application and, where applicable, to specify which items have been grouped together.]

PROJET DE RECOMMANDATION
DU CONSEIL DE COOPERATION DOUANIERE
RELATIVE A L'INSERTION DANS LES NOMENCLATURES STATISTIQUES
NATIONALES DE SOUS-POSITIONS DESTINEES A FACILITER LE RECUEIL
ET LA COMPARAISON DES DONNEES CONCERNANT LA CIRCULATION
A L'ECHELON INTERNATIONAL DES SUBSTANCES REGLEMENTEES
CONFORMEMENT AUX AMENDEMENTS AU PROTOCOLE DE MONTREAL
RELATIF AUX SUBSTANCES QUI APPAUVRISSENT LA COUCHE D'OZONE

(juin 1999)

[LE CONSEIL DE COOPERATION DOUANIERE,

CONSIDERANT que la surveillance du commerce international des substances qui appauvrissent la couche d'ozone demeure une question de première urgence,

ETANT DONNE que le Programme des Nations Unies pour l'environnement a demandé la création dans le Système harmonisé de nouvelles sous-positions spécifiques destinées à faciliter le recueil et la comparaison des données concernant la circulation à l'échelon international de nouvelles substances réglementées en vertu des amendements apportés au Protocole de Montréal adoptés en juin 1990 (Londres) et novembre 1992 (Copenhague),

TENANT COMPTE de la Recommandation du 20 juin 1995,

PRENANT ACTE que les administrations membres et les Parties contractantes à la Convention sur le Système harmonisé qui ont accepté la Recommandation du 20 juin 1995 cesseront automatiquement d'appliquer cette dernière lorsqu'elles accepteront la présente Recommandation,

RECOMMANDE aux administrations membres et aux Parties contractantes à la Convention sur le Système harmonisé de prendre toutes les mesures nécessaires pour faire figurer dès que possible dans leurs nomenclatures statistiques nationales les sous-positions supplémentaires ci-après, séparément ou regroupées le cas échéant pour répondre aux prescriptions en vigueur dans chaque pays :

Sous-position 2903.19 du Système harmonisé

- - - 1, 1, 1-Trichloroéthane (méthyl chloroforme)

Sous-position 2903.45 du Système harmonisé

- - - Chlorotrifluorométhane

- - - Pentachlorofluoroéthane

- - - Tétrachlorodifluoroéthanes

- - - Heptachlorofluoropropanes
- - - Hexachlorodifluoropropanes
- - - Pentachlorotrifluoropropanes
- - - Tétrachlorotétrafluoropropanes
- - - Trichloropentafluoropropanes
- - - Dichlorohexafluoropropanes
- - - Chloroheptafluoropropanes

Sous-position 2903.49 du Système harmonisé.

- - - Chlorodifluorométhane
- - - Dichlorotrifluoroéthanes
- - - Chlorotétrafluoroéthanes
- - - Dichlorofluoroéthanes
- - - Chlorodifluoroéthanes
- - - Dichloropentafluoropropanes
- - - Autres dérivés de méthane, d'éthane ou de propane halogénés uniquement avec du fluor et du chlore
- - - Dérivés de méthane, d'éthane ou de propane halogénés uniquement avec du fluor et du brome

Sous-position 3813.00 du Système harmonisé

- - - Préparations et matières de charge pour extincteurs contenant du chlorotétrafluoroéthane, du dichlorotrifluoroéthane ou du chlorodifluorométhane.

Sous-position 3824.90 du Système harmonisé

- - - Mélanges contenant du chlorotétrafluoroéthane, du chlorodifluoroéthane ou de chlorodifluorométhane.
- - - Mélanges contenant du bromure de méthyle

et

Annexe au doc. NC0015B1
(CSH/23/mai 99)

INVITE les administrateurs membres ainsi que les Parties contractantes à la Convention sur le Système harmonisé qui acceptent la présente Recommandation à en faire part au Secrétaire général en indiquant la date de sa mise en application et, le cas échéant, à préciser les rubriques qui ont été regroupées.
