



HARMONIZED SYSTEM  
COMMITTEE

-  
23rd Session

NC0024E1

O. Eng.

H9-3

Brussels, 25 March 1999.

CLASSIFICATION OPINION AND AMENDMENTS TO THE EXPLANATORY NOTES  
ARISING FROM THE CLASSIFICATION OF PRODUCTS CALLED "BIO-ADD"

(Item VII.7 on Agenda)

Reference documents :

42.038 (HSC/21)  
42.464 (HSC/22)  
42.488 (HSC/22)  
42.750 Annex H/4 (HSC/22 - Report)

I. BACKGROUND

1. At its 22nd Session (November 1998), the Harmonized System Committee examined the classification of two products having the following compositions :

	<b>Bio-Add</b>	<b>Bio-Add 4T</b>
Formic acid	68 %	34 %
Ammonium formate	-	24 %
Propionic acid	20 %	15 %
Water	12 %	27 %

2. The products were used in animal feeding to control undesirable contaminants such as *Salmonella*, bacteria, yeast or mould and were put up in tank lorries of 1000 litres (1152 kg) or in drums of 197 litres (227 kg).
3. The Committee decided, by 12 votes to 6, to classify both products in subheading 3808.40 as disinfectants, by application of Note 1 to Chapter 23.

File No. 2724

For reasons of economy, documents are printed in limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

II. SECRETARIAT COMMENTS

- 4. To reflect this decision, the Secretariat was instructed to prepare a draft Classification Opinion (for both products) and amendments to the Explanatory Notes, for examination by the next preessional Working Party.
- 5. The texts drafted by the Secretariat are set out in the Annex to this document.

III. CONCLUSION

- 6. The Committee is invited to approve the draft texts set out in the Annex, once they have been finalized by the Working Party.

x

x x

ANNEXE

MODIFICATION DU RECUEIL DES AVIS DE CLASSEMENT  
ET DES NOTES EXPLICATIVES DECOULANT DU CLASSEMENT  
DES LIQUIDES "BIO-ADD" DANS LE N° 3808.40  
(Point VII.7 de l'ordre du jour)

---

ANNEX

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS  
AND THE EXPLANATORY NOTES ARISING FROM THE  
CLASSIFICATION OF "BIO-ADD" LIQUIDS IN SUBHEADING 3808.40  
(Item VII.7 on Agenda)

A. MODIFICATION DU RECUEIL DES AVIS DE CLASSEMENT

Page 12.

Insérer l'Avis de classement ci-après :

**“3808.40** 1. **Préparations consistant en mélanges d'acide formique et d'acide propionique**, même additionnées de formiate d'ammonium, diluées dans de l'eau et utilisées dans la fabrication d'aliments pour animaux afin de lutter contre les contaminants indésirables tels que la salmonelle, les bactéries, les levures ou les moisissures.

**Application de la Note 1 du Chapitre 23.”**

Page 55.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4	Colonne 5
<b>“3808.40</b>	1	(*)	<b>“BIO-Add”</b> Acide formique ..... Acide propionique ... Eau .....	68% 20% 12%
			<b>“BIO-Add 4T”</b> Acide formique ..... Formiate d'ammonium ..... Acide propionique ... Eau .....	34%  24% 15% 27%”

---

(\*) Insérer le numéro de document du rapport correspondant.

°  
° °

B. MODIFICATIONS DES NOTES EXPLICATIVES  
A EFFECTUER PAR VOIE DE CORRIGENDUM

CHAPITRE 23.

Page 188. N° 23.09. Dernier alinéa. Nouvelle exclusion ij).

Insérer la nouvelle exclusion ci-après :

"ij) Les préparations de la nature des désinfectants utilisées dans la fabrication d'aliments pour animaux afin de lutter contre les contaminants indésirables (n° **38.08**)".

L'exclusion actuelle ij) devient k).

CHAPITRE 38.

Page 567. N° 38.08. Rubrique (IV). Deuxième alinéa. Seconde phrase.

Nouvelle rédaction :

"Ils sont également utilisés en agriculture pour la désinfection des semences et dans la fabrication d'aliments pour animaux afin de lutter contre les contaminants indésirables".

---

A. AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 12.

Insert the following Classification Opinion :

**“3808.40** 1. **Preparation consisting of formic acid and propionic acid**, with or without the addition of ammonium formate, dispersed in water, used in animal feeding to control undesirable contaminants such as Salmonella, bacteria, yeast or mould.

**Application of Note 1 to Chapter 23.”**

Page 55.

Insert the following reference :

Column 1	Column 2	Column 3	Column 4	Column 5
<b>“3808.40</b>	1	(*)	<b>« BIO-Add »</b>	
			Formic acid .....	68%
			Propionic acid .....	20%
			Water .....	12%
			<b>« BIO-Add 4T »</b>	
			Formic acid .....	34%
			Ammonium formate .....	24%
			Propionic acid .....	15%
			Water .....	27%”

---

(\*) Insert the appropriate Report reference.

°  
° °

B. AMENDMENTS TO THE EXPLANATORY NOTES  
TO BE MADE BY CORRIGENDUM

CHAPTER 23.

Page 188. Heading 23.09. Last paragraph. New exclusion (ij).

Insert the following new exclusion :

"(ij) Preparations in the nature of disinfectants used in animal feeding to control undesirable contaminants  
(heading 38.08)".

Reletter the present exclusion (ij) as exclusion (k).

CHAPTER 38.

Page 567. Heading 38.08. Item (IV). Second paragraph. Second sentence.

Delete and substitute :

"They are also used in agriculture for disinfecting seeds and in animal feeding to control undesirable contaminants".

---