



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  
COMMITTEE

-  
26<sup>th</sup> Session  
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NC0336E1

O. Eng.

Brussels, 7 November 2000.

CLASSIFICATION OF "HIGH FAT CREAM CHEESE"

(RESERVATION BY AUSTRALIA)

(Item VII.5 on Agenda)

Reference documents :

41.475 (HSC/20)	NC0027E1 (HSC/23)
41.600, Annex G/23 (HSC/20 – Report)	NC0086E1 (HSC/23)
42.040 (HSC/21)	NC0090E2, Annex E/1 (HSC/23 – Report)
42.056 (HSC/21)	NC0129E1 (HSC/24)
42.113 (HSC/21)	NC0154E1 (HSC/24)
42.100, Annex H/1 (HSC/21 – Report)	NC0160E2, Annex G/10 (HSC/24 – Report)
42.438 (HSC/22)	NS0002E1 (SSC/15)
42.727 (HSC/22)	NS0014E2, Annex A/1 (SSC/15 – Report)
42.750, Annex G/12 (HSC/22 – Report)	NC0181E/1, paragraphs 2 to 7 (HSC/25)
42.805 (SSC/14)	NC0248E1 (HSC/25)
42.827 (SSC/14)	NC0250E2, Annex H/10 (HSC/25 – Report)
42.828 (SSC/14)	NC0287E1(HSC/26)
42.850, Annex A/13 (SSC/14 - Report)	NC0321E (HSC/26)

I. BACKGROUND

1. After the preparation of Docs. NC0287E1 and NC0321E1, the Secretariat received, on 26 October 2000, a further Note from the Australian Administration.

II. A FURTHER NOTE FROM AUSTRALIA

2. Paragraphs 6 to 29 of Doc. NC0287E1 set out Australia's arguments in support of the reservation it has entered in respect of the decision of the HSC (25<sup>th</sup> Session) concerning the classification of high fat cream cheese (HFCC).
3. Australia wishes to bring to the Committee's attention that references to 'Solids-Non-Fat (SNF)' in paragraphs 6 to 29 are intended to be references to 'Milk Solids-Not-Fat', as referred to in note 2(a) to Chapter 4 of the Harmonized System Nomenclature.

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4. In light of this clarification, the Secretariat's reference to Classification Opinion 0405.20 at paragraph 40 of Doc. NC0287E1, no longer appears relevant.
5. Australia also notes that, for a comprehensive understanding of the methods and the test results of the various laboratories to determine the emulsion type of the HFCC samples (paragraph 42 of Doc. NC0287E1 refers), reference should be made to the full reports in Annexes I to X to Doc. NS0002E1."

### III. SECRETARIAT COMMENTS

6. Based on the clarification provided by Australia above (that the references to 'Solids-Non-Fat (SNF)' in paragraphs 6 to 29 of Doc. NC0287E1 are intended to be references to 'Milk Solids-Not-Fat', as referred to in Note 2 (a) to Chapter 4 of the Harmonized System Nomenclature), the Secretariat agrees with Australia that the reference to Classification Opinion 0405.20. 1 is not appropriate. Furthermore, as pointed out by Australia in paragraph 5 above, Administrations are encouraged to review the full statements of the Customs laboratories, as set out in the Annexes I to X to Doc. NS0002E1.

### IV. CONCLUSION

7. The Committee is invited to take account of the above additional Note from the Australian Administration when it examines this Agenda item.
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