



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

-
24th Session

NC0160E2

(HSC/24/Oct. 99)

O. Fr./Eng.

Brussels, 22 October 1999.

REPORT TO THE CUSTOMS CO-OPERATION COUNCIL
OF THE TWENTY-FOURTH SESSION
OF THE HARMONIZED SYSTEM COMMITTEE

NOTE : This Report is divided into two parts

1. The Harmonized System Committee held its 24th Session from 11 October to 22 October 1999 at the Headquarters of the World Customs Organization in Brussels under the chairmanship of Mr. J.-L. ROBYR (Switzerland).
2. The following 56 Members (55 Countries and one Customs or Economic Union) were represented :

Countries :

ALGERIA	FINLAND	POLAND
AUSTRALIA	FRANCE	ROMANIA
AUSTRIA	HUNGARY	RUSSIA (Fed. of)
BANGLADESH	INDIA	SAUDI ARABIA
BELARUS	INDONESIA	SENEGAL
BELGIUM	JAPAN	SLOVAKIA
BRAZIL	JORDAN	SOUTH AFRICA
BULGARIA	KENYA	SPAIN
CANADA	KOREA (Rep. of)	SRI LANKA
CHINA	LATVIA	SWEDEN
CONGO (Dem. Rep. of)	LIBYAN	SWITZERLAND
CÔTE D'IVOIRE	ARAB JAMAHIRIYA	THAILAND
CROATIA	MACEDONIA	TUNISIA
CYPRUS	MADAGASCAR	TURKEY
CZECH REPUBLIC	MALAYSIA	UGANDA
DENMARK	MOROCCO	UNITED KINGDOM
EGYPT	NETHERLANDS	UNITED STATES
ESTONIA	NORWAY	VIETNAM
FIJI	PAKISTAN	

Customs or Economic Union

EUROPEAN COMMUNITY (EC).

3. The following 2 Members of the Council and 7 international organizations were represented by observers :

GHANA
UKRAINE

ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)
INTERNATIONAL CHAMBER OF COMMERCE (ICC)
INTERNATIONAL CONTAINERS BUREAU (ICB)
INTERNATIONAL CUSTOMS TARIFF BUREAU (ICTB)
INTERNATIONAL TRADE CENTRE-UNCTAD/WTO
UNITED NATIONS STATISTICAL DIVISION (UNSD)
WORLD TRADE ORGANIZATION (WTO).

4. A list of the delegates and observers who attended the meeting is reproduced in Annex N to this Report.

I. ADOPTION OF THE AGENDA
(Doc. NC0091E2)

5. Following the EC Delegate's request to postpone two items, the Committee discussed (1) the application of Rule 10 of the HSC's Rules of Procedure regarding the deadline for publication of working documents and (2) how to deal with issues pending in a national court.
6. With regard to disputes before a court, the EC Delegate said that the Committee should not automatically postpone the examination of such issues, but should envisage, case-by-case, the possibility of postponement for the most sensitive matters, such as those relating to LAN equipment, so as to avoid placing the Contracting Party concerned in an awkward position. He added that the imminent examination of an issue by a court could in certain cases be grounds for postponement. The decision of a court might be such as to help the Committee to take decisions and to facilitate, where necessary, the settlement of differences between Contracting Parties.
7. In this connection, several delegates recalled that the Harmonized System Committee was an independent body and that many of the cases it examined were pending in court. Hence that was not a sufficient reason to postpone the examination of an issue and the related decision.
8. The Committee finally agreed that the fact that a matter was currently before a court should not prevent it being discussed within the HSC and therefore this did not justify postponement.
9. The EC supported by several delegates was also concerned by the late publication of the French version of working documents, thereby making it difficult for Contracting Parties to prepare for the meeting and to contact trade and industrial circles. They recalled that by virtue of Rule 10 of the Committee's Rules of Procedure, in principle, basic working

documents should be dispatched to the members of the Committee at least 30 days before the opening date of the session. They also recommended publishing the French and English versions simultaneously. Doc. NC0120E1, containing the EC's basic comments had not been available to most delegates until the start of the Committee's session, and had not been placed on the WCO's Web site in good time.

10. Mr. H. KAPPLER, the Director of Tariff and Trade Affairs, recognized that there was a problem in this respect, and indicated that he was currently working with senior Secretariat staff to seek a solution. He also asked Contracting Parties to do their utmost to ensure that they submit their comments on time.
11. The US Delegate reminded the Committee that it had been considering the LAN equipment questions since 1996, that there had been two decisions on which reservations had been entered, and that it was time to make a final decision in regard to this matter. He was surprised that a delegate had suggested that it might be wise for the Committee to postpone its own action to await a court ruling on the headings and legal Notes involved in these questions.
12. However, he understood the problem for administrations who had not yet received the documents on these two Agenda items because the documents had only recently been distributed. Although draft documents had been available on request for some time, he agreed that it was unacceptable not to have had these documents timely distributed to the Committee.
13. The Committee finally agreed that the late publication of basic working documents did not automatically mean that issues should be postponed until a later session, and that the above-mentioned Rule 10 should be considered on a case-by-case basis and applied flexibly. Following this discussion, the Committee decided to postpone the examination of seven items.
14. Subject to the foregoing, the Committee adopted the Agenda reproduced in Annex A to this Report. This Annex also serves as the Table of Contents.

II.1. POSITION REGARDING CONTRACTING PARTIES
TO THE HS CONVENTION AND RELATED MATTERS
(Doc. NC0093E1)

15. The Committee welcomed Egypt as the 98th Contracting Party to the HS Convention. The Delegate of Egypt thanked the Committee and noted that Egypt would shortly be applying the HS 96 version in its entirety at 6-digit level, as well as the HS-related Recommendations of the Customs Co-operation Council.
16. The Director noted that two Contracting Parties, Rwanda and Sudan, have not yet implemented the 1996 amendments to the HS. He strongly urged these two administrations to implement the 1996 amendments and to notify the Secretariat of the date of implementation as soon as possible.
17. Drawing the attention of the Committee to paragraph 4 of Doc. NC0093E1, the Director also requested the Members to accept the amendments to the Council Recommendations on (i) Standard Units of Quantity, (ii) Chemical Weapons and (iii) Narcotic Drugs, as well as the

new Council Recommendation on Ozone Layer Depleting Substances (replacing the 1995 Recommendation) at their earliest convenience and to notify the Secretariat accordingly.

18. The Committee took note of the other information provided in Doc. NC0093E1 and the Annex thereto.
19. The list of Contracting Parties to the HS Convention and the list of administrations applying a tariff or nomenclature based on the HS, as of 22 October 1999, are reproduced in Annexes B/1 and B/2, respectively.

II.2. REPORT ON THE MEETINGS OF THE POLICY COMMISSION (41ST SESSION)
AND COUNCIL (93RD AND 94TH SESSIONS)
(Doc. NC0094E1)

20. Referring to Doc. NC0094E1, the Director reported that the Policy Commission and the Council approved the new fast-track reservation procedure. He also mentioned that the Policy Commission and the Council had approved the budget for the production of HS training materials on CD-ROM and via the Internet and had agreed, in principle, to support the use of Spanish for the HS, which issue would need to be studied further by the Finance Committee. He further stated that the Council adopted the Article 16 Recommendation as well as the amendments to the Recommendations on Standard Units of Quantity, Chemical Weapon and Narcotic Drugs and the revised Ozone Layer Recommendation.
21. Drawing the Committee's attention to the second sentence of paragraph 21(2) of Doc. NC0094E1, the US Delegate clarified the fact that, instead of "re-entering" a reservation following the Committee's confirmation at its 22nd Session of its decision to classify the "FIRE 9000" and "FIRE 1000" apparatus in heading 90.06, the United States Administration had "entered" a reservation on the said decision, which had been the subject of an earlier reservation entered by another administration (Canada). The Committee took note of that clarification.
22. The EC Delegate noted that two reservations had been entered successively against the same decision by the HS Committee, by two different Contracting Parties. He expressed concern over this precedent and asked that reservation should be entered at the same time by all administrations unable to accept a Committee decision.
23. The Chairman invited the Committee's attention to the objectives relating to the Harmonized System in the WCO Strategic Plan as set out in Annex II of the working document.
24. The Committee then took note of the information provided in Doc. NC0094E1.

II.3. APPROVAL OF DECISIONS TAKEN BY THE HS COMMITTEE
AT ITS 23rd SESSION

(Docs. NG0006E1 and NC0095E1)

25. The Committee took note of the communication from the Secretariat that the decisions taken by the Committee at its 23rd Session were deemed approved by the Council, in accordance with Article 8.2 of the Harmonized System Convention, except for the following four decisions in respect of which reservations had been entered by the named administrations :

- One by the Swiss Administration concerning the "amendments to the Explanatory Notes arising from the classification of "Bio-Add" liquids in subheading 3808.40" (Doc. NC0090E2/G/7 and M/19).
- One by the Swiss Administration concerning the "classification of non-aromatic cut tobacco" (Doc. NC0090E2/IJ/1).
- One by the United States Administration concerning the "classification of certain drilled lumber used in construction" (Doc. NC0090E2/IJ/9).
- One by the Canadian Administration concerning the "classification of PolySwitch" (Doc. NC0090E2/IJ/28).

26. A delegate proposed that Council Decision No. 298 concerning the procedure for re-examination of certain decisions by the HSC (referral to the Council or directly back to the HSC) be published in the red book containing the HS Convention for the information of the general public. For ease and speed of comprehension, he then suggested that the procedure opted for be specified in the working document, immediately after the reference to each reservation.

27. In response, the Director said that he envisaged embodying that Council Decision in a new Rule in the HSC Rules of Procedure (see Item III.4 of the Agenda). However, the Secretariat had no objection to the Decision being published in the red book, if the Committee so decided. The Secretariat would take account of the second suggestion when preparing future documents.

28. The Committee approved the above proposals.

II.4. TECHNICAL ASSISTANCE ACTIVITIES OF THE
NOMENCLATURE AND CLASSIFICATION SUB-DIRECTORATE

(Doc. NC0096E1)

29. The Director informed the Committee that technical assistance to developing country Members of the WCO was one of the most important activities of the Secretariat. He also thanked the Japanese Administration for its continued technical and financial support for the technical assistance programmes of the Secretariat.

30. The Delegate of Switzerland informed the Committee that his Administration had recently arranged an HS seminar in Côte d'Ivoire. The seminar consisted of 200 lessons on

HS classification and an additional 35 lessons on methodology. Twenty-one participants from six French speaking countries from Africa and two countries from the Middle East attended the seminar.

31. The Delegate of Japan expressed his Administration's appreciation for the work achieved by the Secretariat in respect of HS-related technical assistance. He assured the Committee that his Administration, in collaboration with the Secretariat, would continue to support these activities.
32. The Delegate of Uganda thanked the Secretariat for organizing a Regional HS Seminar in his country in June 1999. He also extended his thanks to the Japanese Administration, in this connection.
33. On behalf of the Committee, the Chairman thanked the Secretariat for willingly programming and conducting technical assistance for Member administrations together with all its other HS-related work.
34. The Committee then took note of the information provided in Doc. NC0096E1 and the Annex thereto, as well as the additional information provided by Japan and Switzerland.

II.5. CO-OPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS (Doc. NC0097E1)

35. The Committee took note of the information provided by the Secretariat concerning co-operation with other international organizations.
36. The representative of the WTO informed the Committee that since the last report made to this Committee on 7 May 1999, the WTO Market Access Committee had met three times : on 31 May, 22 June and 5 October 1999.
37. With regard to the introduction of HS 96 changes into the schedules of tariff concessions, the Committee was invited to recall that several WTO Members had been granted initial waivers on 13 December 1995; these waivers were extended by successive decisions of the General Council until 31 October 1999. In addition to these waivers, four Members obtained an extension until 31 October 1999 of their waivers in connection with transposition of their pre-Uruguay Round Schedules into the Harmonized System.
38. She then informed the Committee that the Market Access Committee once again examined the situation at its meeting of 5 October 1999 and that 32 Members have requested further extension of their waivers until 30 April 2000.
39. Concerning the Consolidated Tariff Schedules Data Base Project, the objective of which is to establish a database containing the consolidated schedules of all the Members, she informed the Committee that the project was launched in May of this year and that it was scheduled to be finished by April 2000.

40. Additionally, in response to a question concerning the HS 2002 amendments, she informed the Committee that procedures already existed for the introduction of HS changes to schedules of concessions, but there may be a need to revisit them nearer the time of introduction.

III. GENERAL QUESTIONS

41. The Committee's conclusions concerning Agenda Item III are reproduced in Annexes C and L to this Report.
42. With regard to the binding status of HSC decisions (Agenda Item III.3), an informal Working Group had met before the Committee session. The report of that Working Group is reproduced in Annex L to this Report.

IV. RECOMMENDATIONS

43. The Committee's conclusions concerning Agenda Item IV are reproduced in Annex D to this Report.

V. REPORT OF THE HS REVIEW SUB-COMMITTEE (20th Session)

44. The Harmonized System Committee preliminary examined the conclusions reached by the Review Sub-Committee at its 20th Session.
45. The results of this preliminary examination are reproduced in Annex E to this Report.
46. On behalf of the Committee, the Chairman thanked the HS Review Sub-Committee and its Chairman for the excellent work accomplished at the 20th Session of the Sub-Committee.

VI. REPORT OF THE PRESESSIONAL WORKING PARTY

47. The Harmonized System Committee examined the conclusions reached at the Working Party's preessional meeting. The conclusions of the Committee are reproduced in Annex F to this Report.
48. The texts finalized by the Working Party and adopted by the Committee are set out in Annexes K/2 to K/14 to this Report.
49. On behalf of the Committee, the Chairman congratulated the Chairman and the Members of the Working Party on their excellent work.

VII. and VIII. FURTHER STUDIES AND NEW QUESTIONS

50. The Committee's conclusions concerning Agenda Items VII and VIII are reproduced in Annexes G, H, K/1, K/15 and K/16 to this Report.

IX. ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF THE HARMONIZED SYSTEM COMMITTEE AND ITS WORKING PARTY AND OF THE HARMONIZED SYSTEM REVIEW SUB-COMMITTEE

ELECTION OF CHAIRMAN AND VICE-CHAIRMEN OF THE HARMONIZED SYSTEM COMMITTEE

51. At the end of the 24th Session and on the proposal of the Director, the Committee decided not to proceed, at this session, to an election for the Chairman and Vice-Chairmen of the Harmonized System Committee, but to maintain Mr. J.-L. ROBYR (Switzerland) as Chairman and Mr. M.M. BELARBI (Morocco) as Vice-Chairman for the 25th Session, the election being postponed until that next session.

ELECTION OF THE CHAIRMAN OF THE WORKING PARTY

52. On the proposal of the Delegate of Denmark, seconded by the Delegate of Libyan Arab Jamahiriya, Mr. S. AHMAD (Pakistan) was unanimously re-elected Chairman of the Working Party.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN OF THE HS REVIEW SUB-COMMITTEE

53. On the proposal of the EC Delegate, seconded by the Delegate of Japan, Mr. D. BECK (US) was unanimously elected Chairman of the Review Sub-Committee.
54. On the proposal of the US Delegate, seconded by the Delegate of Morocco, Mr. C.E. (Ed) DE JONG (Netherlands) was unanimously elected Vice-Chairman.

X. OTHER BUSINESS

55. The Committee's conclusions concerning Agenda Item X are reproduced in Annexes IJ and M to this Report.

STAFF CHANGE IN THE NOMENCLATURE AND
CLASSIFICATION SUB-DIRECTORATE

56. The Director informed the Committee that Mr. H. KAIDA, well-known as Japan's Delegate to the Committee, had joined the Secretariat in July 1999 as a Technical Attaché.

XI. DATES OF THE NEXT SESSIONS

57. The dates of the next meetings of the Scientific Sub-Committee, the Review Sub-Committee, the Working Party and the Harmonized System Committee are as follows :

(a) Scientific Sub-Committee (15th Session)

Monday 10 January 2000 (10 a.m.) to
Friday 14 January 2000

(b) Review Sub-Committee (21st Session)

Monday 7 February 2000 (10 a.m.) to
Friday 11 February 2000

(c) Working Party

Wednesday 15 March 2000 (10 a.m.) to
Friday 17 March 2000

(d) Harmonized System Committee (25th Session)

Monday 20 March 2000 (10 a.m.) to
Friday 31 March 2000

58. In this connection, it was suggested that in future the calendar of meetings be examined to ensure a longer interval between the Sub-Committees and the Committee as that would facilitate the work both of Contracting Parties and of the Secretariat.

J.-L. ROBYR
Chairman

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<u>Agenda Item No.</u>	<u>Subject</u>	<u>Paragraphs in Report or Annexes</u>
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ANNEX B/1

LIST OF CONTRACTING PARTIES
TO THE HARMONIZED SYSTEM CONVENTION

Situation as of 22 October 1999

(97 countries and 1 Customs or Economic Union)

Algeria	Iceland	Panama
Argentina	India	Peru
Australia	Indonesia	Poland
Austria	Iran	Portugal
Bangladesh	Ireland	Romania
Belarus	Israel	Russia (Federation of)
Belgium	Italy	Rwanda
Botswana	Japan	Saudi Arabia
Brazil	Jordan	Senegal
Bulgaria	Kenya	Slovakia
Burkina Faso	Korea (Rep.)	Slovenia
Cameroon	Latvia	South Africa
Canada	Lebanon	Spain
Central African Republic	Lesotho	Sri Lanka
Chad	Libyan Arab Jamahiriya	Sudan
China	Lithuania	Swaziland
Congo (Dem. Rep. of)	Luxembourg	Sweden
Côte d'Ivoire	Madagascar	Switzerland
Croatia	Malawi	Thailand
Cuba	Malaysia	The Former Yugoslav Republic of Macedonia
Cyprus	Mali	Togo
Czech Republic	Malta	Tunisia
Denmark	Mauritius	Turkey
Egypt	Mexico	Uganda
Estonia	Mongolia	United Kingdom
Ethiopia	Morocco	United States
Fiji	Myanmar	Uzbekistan
Finland	Netherlands	Venezuela
France	New Zealand	Vietnam
Germany	Niger	Zambia
Greece	Nigeria	Zimbabwe
Guinea	Norway	EC
Hungary	Pakistan	

x

x x

ANNEX B/2

LIST OF COUNTRIES, TERRITORIES OR CUSTOMS OR ECONOMIC
UNIONS USING THE HARMONIZED SYSTEM

Situation as of 22 October 1999

(Total 176)

Albania	.....	x	Guyana	.....	x	Saint Kitts and Nevis	.....	x
Algeria	.....	+	Haiti	.....	x	Saint Lucia	.....	x
Antigua & Barbuda	.....	x	Honduras	.....	x	Saint Pierre and Miquelon	.....	x
Argentina	.....	+	Hong Kong	.....	x	(French Terr.)	.....	x
Australia	.....	+	Hungary	.....	+	Saint Vincent and	.....
Austria	.....	+	Iceland	.....	+	the Grenadines	.....	x
Azerbaijan	.....	x	India	.....	+	Saudi Arabia	.....	+
Bahamas	.....	x	Indonesia	.....	+	Senegal	.....	+
Bahrain	.....	x	Iran	.....	+	Sierra Leone	.....	x
Bangladesh	.....	+	Ireland	.....	+	Singapore	.....	x
Barbados	.....	x	Israel	.....	+	Slovakia	.....	+
Belarus	.....	+	Italy	.....	+	Slovenia	.....	+
Belgium	.....	+	Jamaica	.....	x	Solomon Islands	.....	x
Belize	.....	x	Japan	.....	+	South Africa	.....	+
Benin	.....	x	Jordan	.....	+	Spain	.....	+
Bermuda	.....	x	Kazakhstan	.....	x	Sri Lanka	.....	+
Bolivia	.....	x	Kenya	.....	+	Sudan	.....	+
Botswana	.....	+	Kiribati	.....	x	Suriname	.....	x
Brazil	.....	+	Korea (Rep.)	.....	+	Swaziland	.....	+
Brunei Darussalam	.....	x	Kuwait	.....	x	Sweden	.....	+
Bulgaria	.....	+	Latvia	.....	+	Switzerland	.....	+
Burkina Faso	.....	+	Lebanon	.....	+	Syrian Arab Rep.	.....	x
Cameroon	.....	+	Lesotho	.....	+	Tanzania	.....	x
Canada	.....	+	Libyan Arab Jamahiriya	.....	+	Thailand	.....	+
Cape Verde	.....	x	Liechtenstein	.....	x	The Former Yugoslav Republic	.....
Central African Rep.	.....	+	Lithuania	.....	+	of Macedonia	.....	+
Chad	.....	+	Luxembourg	.....	+	Togo	.....	+
Chile	.....	x	Macao	.....	x	Tonga	.....	x
China	.....	+	Madagascar	.....	+	Trinidad and Tobago	.....	x
Colombia	.....	x	Malawi	.....	+	Tunisia	.....	+
Comoros	.....	x	Malaysia	.....	+	Turkey	.....	+
Congo (Dem. Rep. of)	.....	+	Mali	.....	+	Tuvalu	.....	x
Congo (Rep. of)	.....	x	Malta	.....	+	Uganda	.....	+
Cook Islands	.....	x	Mauritius	.....	+	Ukraine	.....	x
Costa Rica	.....	x	Mexico	.....	+	United Arab Emirates	.....	x
Côte d'Ivoire	.....	+	Mongolia	.....	+	United Kingdom	.....	+
Croatia	.....	+	Morocco	.....	+	United States	.....	+
Cuba	.....	+	Mozambique	.....	x	Uruguay	.....	x
Cyprus	.....	+	Myanmar	.....	+	Uzbekistan	.....	+
Czech Republic	.....	+	Namibia	.....	x	Vanuatu	.....	x
Denmark	.....	+	Netherlands	.....	+	Venezuela	.....	+
Djibouti	.....	x	Nepal	.....	x	Viet Nam	.....	+
Dominica	.....	x	New Caledonia (French Terr.)	.....	x	Wallis and Futuna	.....
Dominican Rep.	.....	x	New Zealand	.....	+	(French Terr.)	.....	x
Ecuador	.....	x	Nicaragua	.....	x	Yemen	.....	x
Egypt	.....	x	Niger	.....	+	Zambia	.....	+
El Salvador	.....	x	Nigeria	.....	+	Zimbabwe	.....	+
Equatorial Guinea	.....	x	Niue	.....	x	EC	.....	+
Estonia	.....	+	Norway	.....	+	Andean Community (CAN)	.....	+x
Ethiopia	.....	+	Pakistan	.....	+	Caribbean Community	.....
Fiji	.....	+	Panama	.....	+	(CARICOM)	.....	+x
Finland	.....	+	Papua New Guinea	.....	x	Economic and Monetary	.....
France	.....	+	Paraguay	.....	x	Community of Central Africa	.....
Gabon	.....	x	Peru	.....	+	(CEMAC) (former CACEU)	.....	+x
Gambia	.....	x	Philippines	.....	x	Economic Community of Western	.....
Germany	.....	+	Poland	.....	+	African States (ECOWAS)	.....	+x
Ghana	.....	x	Polynesia (French Terr.)	.....	x	Latin American Integration	.....
Greece	.....	+	Portugal	.....	+	Association (LAIA)	.....	+x
Grenada	.....	x	Qatar	.....	x	Southern Cone Common Market	.....
Guatemala	.....	x	Romania	.....	+	(MERCOSUR)	.....	+x
Guinea	.....	+	Russia	.....	+		
Guinea Bissau	.....	x	Rwanda	.....	+		

Notes :

- + Acceptance (i.e., Contracting Party to the Harmonized System Convention).
- x Indicates application only.
- +x Some Members are Contracting Parties to the Harmonized System Convention.

* * *

ANNEX C

GENERAL QUESTIONS

Working doc.	Subject	Classification Opinions	E.N. amendments	Nomenclature amendments
1	2	3	4	5
NC0098E1	Co-operation with the Technical Committee on Rules of Origin.			

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee was informed about the developments in the Technical Committee on Rules of Origin (TCRO) (17th Session).
2. The Director indicated that the TCRO had completed its initial draft of the Harmonized Rules of Origin in May 1999, which was subsequently submitted to the WTO Committee on Rules of Origin. He expected the time table for completion of the Rules to be discussed at the Ministerial Conference to be held in Seattle in November 1999. He also informed the Committee that the next TCRO meeting was now scheduled for February 2000.
3. Responding to an observation made by the Delegate of the EC, he explained (i) that there was agreement to align the two instruments, i.e., the Rules of Origin and the Harmonized System, and (ii) that the TCRO would probably begin discussions of technical adaptations of the Rules of Origin based on the 2002 amendments of the Harmonized System at its next session.
4. The Committee took note of the developments in the TCRO and of the Director's clarifications.

* * *

1	2
NC0099E1	Development of HS audiovisual training materials.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. On behalf of the Committee, the Chairman expressed thanks to the Swedish Administration for the on-going development of a CD-ROM and an Internet version of HS training materials.
2. The Director explained that the Council at its 93rd/94th Sessions in June 1999 approved the budget for the development of HS audiovisual training materials, both in CD-ROM and Internet versions, with effect from the year 1999/2000. Since July 1999, the Swedish Administration has been preparing the English and French versions of the WCO CD-ROM. The WCO CD-ROM will become available in January 2000. As for the Internet version, it will become available several months later.
3. In response to a question as to whether the prospective users of the Internet version could have access free of charge, the Director stated that the Internet version would be available via the WCO public Web site and on a cost recovery basis, i.e., not free of charge.

* * *

1	2	
99NL724E NC0100E1 NC0152E1 NC0156E1	Policy issues relating to the Harmonized System : - Binding status of HSC decisions.	<u>See Annex L.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. Mr. S. Ahmad, Chairman of the informal Working Group on the binding status of HSC decisions, reported on the Working Group meeting held on 7 and 8 October 1999; his report is set out in Annex L to this Report.
2. Inviting the Committee to consider the report of the Working Group, the Director requested the Committee to reflect on the following issues :
 - Whether there was a serious problem with the non-application of the Committee's decisions by Contracting Parties ?
 - How we can further improve the working methods of the Committee and the Secretariat ?
 - How can we ensure greater transparency with regard to the implementation of the Committee's classification decisions ?
3. In this connection, he recommended that the Secretariat should diligently pursue the study recommended by the Working Group. Depending on the results of the study, the Secretariat might ask the Working Group to reconvene, probably just before the next session of the Committee and report back to the Committee.
4. In relation to improving working methods and transparency, he indicated that during the intersession, the Secretariat would look into the advisability of making the HS Commodity Data Base, which was currently in CD ROM format, available on the WCO's public Web site, with a view to being more transparent and responsive to the needs of Member administrations and the trade. The Secretariat would also look into the possibility of establishing a Sub-Committee on high-tech issues similar to the Scientific Sub-Committee.
5. In presenting his position on this Agenda Item, which was set out in Annex I to Doc. NC0152E1, the Delegate of India noted that in India HSC classification decisions would not be binding on courts unless they were made part of the Indian tariff schedule which had to be approved by Parliament. He indicated that difficulties could arise in assessing whether an HSC classification decision was followed by a Customs administration if the courts ruled otherwise later. He also suggested that, if HSC decisions were to be made legally binding, at least one year should be given for parliamentary approval.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

6. The Delegate of Brazil informed the Committee that HSC Classification Opinions had become administratively binding in Brazil.
7. The Delegate of Japan pointed out that the nature of the possible binding status of HSC decisions should be studied, taking into account whether they should be made legally binding on Contracting Parties or administratively binding on Customs administrations or merely accorded the respect of Customs administrations.
8. The EC Delegate informed the Committee that the EC had also submitted written comments on Secretariat letter 99NL724E. In concurring with the Director, he strongly emphasized transparency as an important element to ensure uniform application of the HS and advocated that all Contracting Parties should agree to notify the WCO if HSC decisions could not be applied. To that end, direct and specific questions should be asked instead of general ones, such as which HSC decisions could not be applied and why. He suggested studying the possibility that in future a Council Recommendation could invite Contracting Parties to make the Classification Opinions binding on administrations under certain conditions.
9. In regard to the possible establishment of a Sub-Committee on high-tech issues, the EC Delegate observed that although he was not against this idea, he was concerned with the high frequency of other HS related meetings and the possible overlapping with the work of the Review Sub-Committee which had been dealing with high-tech issues. Another Delegate, however, stated that the idea of setting up a Sub-Committee on high-tech issues could be considered and that close co-operation with industry could be established, given that questions of a highly technical nature might create classification problems for Customs. In this regard, it was pointed out that in doing so the WCO should not lose its inter-governmental nature.
10. The US Delegate observed that uniformity, transparency and consistency in the application and interpretation of the HS should be the objective of all Contracting Parties to the HS Convention. He emphasized that the HS Convention contained positive provisions for the application of HSC decisions, reservations and amendment of the Nomenclature, and that the focus should be on how to make the decision-making process faster and more responsive to administrations and the trade. Further, he agreed that the nature and extent of non-application of HSC decisions should be studied before the WCO engaged in discussions to make HSC decisions binding. As to the questionnaire to study the scope of the problem of non-application, he indicated that the questions should address the principles by which a decision was implemented, such as whether or not a decision was applied only to the product that was classified. Further, he commented that it might be inappropriate, at this time, to attempt to develop a specific list of decisions that are not implemented by each administration.
11. In response to the above, the EC Delegate confirmed that the EC applied all HSC classification decisions except those, which were the subject of a reservation. These decisions were also applied to similar articles. He stated that the study should come up with a list of HSC decisions which were not applied by Contracting Parties so that the situation could be examined.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

12. The Delegate of Senegal pointed out that when drafting the questionnaire for the study, account should be taken of possible revenue implications as a result of implementing HSC decisions by developing countries.
13. In conclusion, the Committee endorsed the Working Group's proposal to proceed with a study on the extent and scope of the problem of non-application of HSC decisions by Contracting Parties. The Secretariat was instructed to prepare a questionnaire to be sent to all Contracting Parties to the HS Convention, taking account of the above comments made by delegates.

* * *

1	2
NC0101E1	Possible amendment of the Rules of Procedure of the Harmonized System Committee.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Director explained that the proposed amendment set out in paragraph 9 of Doc. NC0101E1 was intended to incorporate into the Rules of Procedure of the HSC both the fast-track procedure regarding reservations, which was approved as Decision No. 298 at the Council's 93rd and 94th Sessions, and the fact that reservations should only be entered after the end of the Committee's sessions and not during the Committee's sessions. He suggested that if the Committee agreed to amend the Rules of Procedure in principle as suggested, then the Secretariat would submit a text for finalisation to the next Working Party. He also reminded the Committee that a postal ballot procedure would be used for the approval of the proposed amendment.
2. The Committee agreed to the Director's suggestion and decided to submit the text for amendment to the next preessional Working Party.

* * *

ANNEX D

RECOMMENDATIONS

Working doc.	Subject	Recommendations
1	2	3
NC0103E1	Possible new Council Recommendation concerning artisanal products.	

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Chairman invited the Committee to express its views as regards the feasibility of a possible new Council Recommendation concerning artisanal products. The Committee could take up the related matters (e.g., definition of “hand-made” products) thereafter.
2. The Observer for the ITC appreciated the WCO Secretariat’s efforts in bringing the concerns of the ITC client countries with regard to the need for separate identification of artisanal products in the HS to the attention of the Committee. She urged that the definition of artisanal products be made a part of the draft Recommendation and the issue of an international certification attesting to the artisanal nature of traded goods should also be mentioned therein to help clarify the definition itself whenever doubts as to that nature might arise. She added that the proposed definition was open to modification for HS purposes.
3. As to the feasibility of a possible Recommendation, several delegates pointed out that world trade in “hand-made” products was considerable and identifying such products and collecting statistics thereon to formulate trade promotion strategies was important not only for developing countries but also developed countries. Therefore, in principle, they supported the idea of drafting a Council Recommendation on “hand-made” products.
4. However, these delegates also agreed that certain serious and complex issues were yet to be solved.
5. First, they questioned whether the definition of “hand-made” products drafted by the Secretariat and reproduced in paragraph 3 of Doc. NC0103E1 was sufficiently clear so that all administrations could uniformly apply it to identify such products. They felt that certain elements of this definition (e.g., references to “craftsmen”, “entirely by hand”, “sophisticated machines”, etc.) should also be defined to clarify the scope of the term “hand-made”. Second, they felt that the identification of certain “hand-made” products included in the proposed list of breakouts could be very difficult. It would therefore be necessary to develop some objective criteria to distinguish such products from their machine-made counterparts

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

(e.g., criteria similar to those established in the Subheading Explanatory Note to subheadings 5804.21, 5804.29 and 5804.30 (page 879) to distinguish mechanically made lace from hand-made lace). Third, they agreed that the WCO could not act as an international certification organization. The Committee could draft the Recommendation with or without reference to an international certification scheme and, if necessary, questions relating to certification procedure could be left to the discretion of individual administrations. However, the ITC could continue to work on formulating an international certification scheme. Finally, on the basis of the definition of "hand-made" products to be developed, the proposed list of subheadings included in the Annex to the draft Recommendation had to be carefully checked. Depending on the needs of administrations, the list could be modified.

6. The Committee finally agreed to continue to study this matter at its 25th Session. Administrations were invited to submit to the Secretariat their comments and proposals in respect of (i) the definition of "hand-made" products for HS purposes, (ii) possible objective criteria for distinguishing "hand-made" products from those mechanically made, (iii) possible additions to and/or deletions from the list of subheadings in the Annex to the draft Recommendation and (iv) the possibility of including a reference to an international certification scheme in the draft Recommendation. The Secretariat was instructed to prepare a new document on this basis for examination by the Committee at its next session.

* * *

1	2
NC0138E2 NC0149E1	Draft Recommendation of the Customs Co-operation Council on the insertion in national statistical nomenclatures of subheadings to facilitate the monitoring and control of products specified by the Protocol concerning firearms covered by the UN Convention against transnational organized crime.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. After the Chairman had introduced the issue on the basis of Docs. NC0138E2 and NC0149E1, the Delegate of Canada elucidated the situation and her Administration's position. Referring to the initiative taken by the United Nations' Commission on Crime Prevention and Criminal Justice to develop a framework for action against organized crime, she explained that her Administration was a strong supporter of this UN initiative. For that reason, her Administration had submitted a letter to the Secretariat outlining the benefits of a draft Council Recommendation to control the international trade in the goods at issue, including a statistical nomenclature identifying the goods by their respective HS codes in Chapter 93. She requested the Committee to endorse and support the UN initiative by creating a Council Recommendation to assist in the monitoring and control of the international trade in the goods covered by the draft Firearms Protocol.
2. The Delegate of Japan expressed his support for the Canadian initiative.
3. The Delegate of the EC outlined some management problems administrations might be faced with when incorporating all of the Council Recommendations requesting additional subheadings at national level. With respect to the proposed Council Recommendation, he was of the view that, since the UN Protocol concerned did not yet exist, it would be premature to draft a Council Recommendation at this moment. In his opinion, the Committee should wait for an official request from the UN, once the Protocol had been signed. Furthermore, he had noticed certain problems vis-à-vis the terminology used in the Canadian submission.
4. In response, the Director indicated that the Secretariat could contact the UN with regard to an official request for a Recommendation to enable the monitoring and control of the goods in question in international trade. He added that, if the Committee waited with its preparatory work till the Protocol had been approved, it might be too late to prepare a draft Council Recommendation to be presented to the Council in July next year, noting that the Committee should try to be responsive vis-à-vis this very important initiative. Finally, he invited delegates to study the draft Recommendation and the issues raised by the Secretariat in Doc. NC0149E1 during the intersession.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

5. The Chairman concluded that the Committee had not yet received an official request from the UN. However, to prepare a possible Council Recommendation to be presented to the Council in July next year he urged delegations to address the questions raised by the Secretariat during the intersession.

* * *

ANNEX E

REPORT OF THE HS REVIEW SUB-COMMITTEE

Working doc.	Subject	Classification Opinions	E.N. amendments	Nomenclature amendments
1	2	3	4	5
NR0072E2	Report of the 20th Session of the HS Review Sub-Committee.			
NC0104E1	Matters for decision by the Harmonized System Committee.			

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng./Fr.)

Adoption procedure of the proposed amendments

1. After a lengthy discussion, the Committee decided not to provisionally adopt at this session the amendments to the Explanatory Notes as set out in Annexes D/1 to D/21 to Doc. NR0072E2 (RSC/20 Report), taking into account the fact that a number of issues were still pending in the Review Sub-Committee (RSC) and that there had been too little time for a thorough review between the RSC's September Session and the current Committee session, and also that, as regards the June 1999 Recommendation, the reservation procedure provided for in Article 16 of the HS Convention had not been completed. It was agreed that the RSC/20 results would be discussed at the next session together with the RSC/21 results, accompanied by a synthesis document to be prepared by the Secretariat.
2. With respect to the final adoption of the amendments, the Committee agreed with the procedure suggested by the Secretariat in paragraph 3 of Doc. NC0104E1, i.e., finally adopting the proposed amendments to the Explanatory Notes at the Committee's Spring Session in 2001 (HSC/27), on the basis of a single working document. At the same session, the Committee would also consider further amendments to be incorporated following amendments of the Explanatory Notes by the corrigendum procedure which might affect those resulting from the Article 16 Recommendation amendments, between now and Spring 2001.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

Scope of the Third Harmonized System Review Cycle

3. The Committee endorsed the Sub-Committee's suggestion that a five-year review cycle would be the most appropriate period and that, consequently the next Recommendation to amend the Harmonized System would come into effect as from 1 January 2007.
4. The Committee also endorsed the Sub-Committee's suggestion that items not adopted during the second review cycle, either because they had been (i) rejected or (ii) postponed, could be taken up if they were supported by an administration.
5. The Committee took note of the pending discussion in the Sub-Committee concerning the proposal to increase the threshold for the creation or deletion of subheadings from US\$ 20 million to US\$ 50 million.
6. The Committee also took note of the conclusion of the Sub-Committee that it would be premature to discuss possible amendments to the HS with a view to facilitating the application of the proposed Harmonized Rules of Origin.
7. The Committee endorsed the Sub-Committee's view that a general review, in addition to the review of specific sectors, would be appropriate.

Up-dating of the current Explanatory Notes

8. The EC Delegate, supported by the Delegate of Sweden, explained that certain parts of the Explanatory Notes needed updating because there had been no full-scale revision since the texts were first drafted in the 1950's. He acknowledged that additional resources might be needed, which would require approval of the Council.
9. Other delegations, while agreeing that the Explanatory Notes should evolve in step with new technologies and commodities, expressed some doubts vis-à-vis the exact scope of the proposal and asked for clarification. It was finally agreed that the Review Sub-Committee should have a further look into the issue, thus giving administrations the opportunity to reflect on the proposal. This further consideration would be based on a working document to be prepared by the Secretariat, outlining the plan, time frame and necessary resources.

Doc. NC0104E1, paragraph 32

10. The Committee adopted the Secretariat's suggestion to align the proposed amendment in the French version of the Explanatory Note to heading 35.06 on the English version as suggested by the Review Sub-Committee, i.e., by replacing the reference "(n° 40.05)" with "(Chapitre 40)".

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (Contd.)

Doc. NC0104E1, paragraph 65

11. The Committee agreed unanimously that electrically powered blowers currently classified in heading 85.08 would be transferred to heading 84.14 in the future, given the deletion of heading 85.08 and the revised text of heading 84.67. Consequently, Item (21) in the Explanatory Note to heading 84.67 should be deleted and these apparatus should be mentioned in the Explanatory Note to heading 84.14, and exclusion (d) to that heading, on page 1262, should be deleted. The Secretariat was instructed to prepare an appropriate document to reflect this decision for the consideration of the Review Sub-Committee.

Doc. NC0104E1, paragraph 66

12. The Committee agreed that the Review Sub-Committee should have a further look into the proposed texts at its next session.

Doc. NC0104E1, paragraph 67

13. The EC Delegate pointed out that the reference to “vibrators” in the proposed Explanatory Note to heading 84.67 was ambiguous, and the classification of such apparatus should, therefore, be studied by the Committee. The Delegate of Sweden indicated that a vibrator was not considered a motor but apparatus with a specific function, classifiable in heading 84.79. The reference to vibrators was kept in square brackets pending the outcome of the discussions on their classification. The Secretariat was instructed to prepare a document for the next session, based on paragraph 84 of Annex C to Doc. NR0072E2.

Doc. NC0104E1, paragraph 70

14. The Committee agreed unanimously to delete the reference to “very high frequency” in the proposed amendment to the Explanatory Note to heading 85.14.

Doc. NR0072E2. Annex D/16. Heading 85.14. Proposed amendment to the first paragraph, new second sentence

15. The Delegate of Sweden indicated that the proposed amendment would make the last part of the first sentence of the same paragraph superfluous. It was agreed to ask the Review Sub-Committee to take another look into this issue.

* * *

ANNEX F

REPORT OF THE PRESSIONAL WORKING PARTY

Working doc.	Subject	Classification Opinions	E.N. amendments	Nomenclature amendments
1	2	3	4	5
NC0105E1 NC0158E1/ A/I	Amendments to the Compendium of Classification Opinions arising from the classification of "POM-BÄR" in subheading 1905.90.	<u>See Annex K/2.</u>		

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee confirmed the Secretariat's view explained in the working document that the product in question should be classified in subheading 1905.90.
2. Subject to the above and to minor modifications in the English text of the proposed Classification Opinion, the Committee adopted the texts finalized by the Working Party.
3. The texts adopted are set out in Annex K/2 to this Report.

* * *

1	2	3
NC0106E1 NC0158E1/ A/II	Amendments to the Compendium of Classification Opinions arising from the classification of tropical fruit in heading 20.08.	<u>See Annex K/3.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. Subject to minor modifications in the English text of the proposed Classification Opinions, the Committee adopted the texts finalized by the Working Party.
2. The texts adopted are set out in Annex K/3 to this Report.

* * *

1	2	3
NC0107E1 NC0158B2/ A/III	Amendments to the Compendium of Classification Opinions arising from the classification of the "MVX" voice processing system in subheading 8517.30.	<u>See Annex K/4.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. There was an exchange of views concerning the classification of the software included with the "MVX" voice processing system. One delegate felt that, as the Committee had not discussed this point during its discussions, and as it was not certain in what form the software was presented, it would be difficult to mention the software in the Classification Opinion.
2. Another delegate explained that software is classified separately in heading 85.24 by application of Note 6 to Chapter 85. Referring to Classification Opinion 9027.30/2, page 43a, last line, he felt that the Committee could draft a sentence to the effect that the "MVX" voice processing system and the software are classified separately in headings 85.17 and 85.24, respectively.
3. Following further discussion, the Committee decided to add a sentence to the Classification Opinion indicating that to the extent applicable, the software is classified separately in heading 85.24, in accordance with Note 6 to Chapter 85. The Committee then adopted the text of the new Classification Opinion.
4. The texts adopted are set out in Annex K/4 to this Report.

* * *

1	2	3	4
NC0109E1 NC0158E1/ A/IV	Amendments to the Compendium of Classification Opinions and Explanatory Notes arising from the classification of certain special shampoos in subheading 3305.10.	<u>See Annex K/5.</u>	<u>See Annex K/5.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. One delegate stated that the proposed amendment to Item (1) of the Explanatory Note to heading 33.05 applied only to “shampoos containing soap or other organic surface active agents” and not to “other shampoos” and suggested that the proposed text should be amended to apply to all shampoos of heading 33.05 in accordance with the provisions of Note 1 (d) to Chapter 30.
2. After discussion, the Committee agreed to add the following sentence at the end of present Item (1) of the Explanatory Note to heading 33.05 (page 511) :

“All these shampoos may contain subsidiary pharmaceutical or disinfectant constituents, even if they have therapeutic or prophylactic properties (see Note 1 (d) to Chapter 30).”
3. In this connection, one delegate stated that it would be appropriate to delete the word “subsidiary” (twice) in the second line of the third paragraph of the General Explanatory Note to Chapter 33 (page 505) as well as in the above-mentioned text, since Note 1 (d) to Chapter 30 did not refer to “subsidiary” therapeutic or prophylactic properties. Since this proposal appeared to go beyond the current exercise of drafting an amendment to the Explanatory Note to heading 33.05, he was invited to submit a separate written proposal in this respect.
4. Subject to the foregoing, the Committee approved the texts finalized by the Working Party.
5. The texts adopted are set out in Annex K/5 to this Report.

* * *

1	2	3
NC0110E1 NC0158E1/ A/V	Amendments to the Compendium of Classification Opinions arising from the classification of "Katia" fungicides in subheading 3808.20.	<u>See Annex K/6.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee adopted, without modification, the texts finalized by the Working Party.
2. The texts adopted are set out in Annex K/6 to this Report.

* * *

1	2	3	4
NC0111E1 NC0158E1/ A/VI	Amendments to the Compendium of Classification Opinions and Explanatory Notes arising from the classification of certain specially designed plastics bottles in subheading 3924.90.	<u>See Annex K/7.</u>	<u>See Annex K/7.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee adopted, without modification, the texts finalized by the Working Party.
2. The texts adopted are set out in Annex K/7 to this Report.

* * *

1	2	3	4
NC0112E1 NC0158E1/ A/VII	Amendments to the Compendium of Classification Opinions and the Explanatory Notes arising from the classification of certain hand and foot warmers in subheading 3824.90.	<u>See Annex K/8.</u>	<u>See Annex K/8.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee adopted, without modification, the texts finalized by the Working Party.
2. The texts adopted are set out in Annex K/8 to this Report.

* * *

1	2	4
NC0113E1 NC0158B2/ A/VIII	Amendment to the Explanatory Notes arising from the classification of coins.	<u>See Annex K/9.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. The Committee adopted the text finalized by the Working Party, subject to a drafting amendment to make clear that the coin of subheading 7118.10 only includes coin that has not been officially issued as legal tender.
2. The texts adopted are set out in Annex K/9 to this Report.

* * *

1	2	3	4
NC0114E1 NC0158B2/ A/IX	Amendments to the Compendium of Classification Opinions and Explanatory Notes arising from the classification of aluminium covers for cans in sub-heading 8309.90.	<u>See Annex K/10.</u>	<u>See Annex K/10.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. The Committee adopted, without modification, the texts finalized by the Working Party.
2. The texts adopted are set out in Annex K/10 to this Report.

* * *

1	2	3
NC0115E1 NC0158B2/A/X	Amendments to the Compendium of Classification Opinions arising from the classification of the "Pentium ® II CPU" in subheading 8473.30.	<u>See Annex K/11.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. One delegate informed the Committee that his Administration, upon contacting the manufacturer, was advised that the Pentium ® II microprocessor was still in production and would be for some time to come. In addition, the manufacturer would continue to provide customer support for the product. Consequently, in response to the Working Party's Observation as to the Classification Opinion's relevance, given the aforementioned information, the delegate felt that it should be retained.
2. The Committee agreed that the Classification Opinion was relevant and then adopted, without modification, the texts finalized by the Working Party.
3. The texts adopted are set out in Annex K/11 to this Report.

* * *

1	2	3
NC0116E1 NC0158B2/A/ XI	Amendments to the Compendium of Classification Opinions arising from the classification of a “dialyser” and a “microbarrier” in subheading 8421.29.	<u>See Annex K/12.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee adopted, without modification, the texts finalized by the Working Party.
2. The texts adopted are set out in Annex K/12 to this Report.

* * *

1	2	3
NC0118E1 NC0158B2/ A/XII	Amendments to the Compendium of Classification Opinions arising from the classification of "Jumicar" vehicles in heading 95.01.	<u>See Annex K/13.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee adopted, without modification, the texts finalized by the Working Party.
2. The texts adopted are set out in Annex K/13 to this Report.

* * *

1	2	3	4
NC0119E1 NC0158B2/ A/XIII	Amendments to the Compendium of Classification Opinions and Explanatory Notes arising from the classification of a "marine loading arm" in subheading 8428.90.	<u>See Annex K/14.</u>	<u>See Annex K/14.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee adopted, without modification, the texts finalized by the Working Party.
2. The texts adopted are set out in Annex K/14 to this Report.

* * *

ANNEX G

FURTHER STUDIES

Working doc.	Subject	Classification Opinions	E.N. amendments	Nomenclature amendments
1	2	3	4	5
NC0120E1 NC0153E1	Classification of various items of networking equipment (Reservation by the EC).			

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

Due to the late publication of the working document, the Committee decided to postpone discussion of this Agenda item until its next session in March 2000.

* * *

1	2
NC0121E1	Classification of the "FIRE 9000" and "FIRE 1000" apparatus in subheading 9006.59 (Reservation by the US).

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. Following a reservation by the US Administration, the Committee re-examined the classification of the FIRE 9000 and FIRE 1000 apparatus.
2. The US Delegate stressed two points concerning the FIRE laser photoplotters. First, he stated that these machines did not have a lens or similar device for capturing light reflected from an object. All photographic cameras incorporated some type of device for this purpose. In a photographic camera, this image was then transferred, either directly or indirectly, to a photosensitive film material. Second, heading 90.06 required that the goods of that heading be "photographic cameras" or, as stated in the French text, "appareils photographiques."
3. He then stated that, in paragraph 27 of Doc. NC0121E1, the Secretariat had concluded that the term "appareil photographique" in heading 90.06 of the French text, which he understood to mean the same as the English text (i.e., photographic camera), was to be interpreted as only requiring that the good be any type of apparatus that applied a photographic process. He disagreed with this analysis which ignored the clear meaning of the text in English (photographic camera) and led to a conclusion that there was a serious misalignment of the English and French text. To interpret the French text to conclude otherwise would result in a misalignment because, clearly under the English text, a photographic camera must have a lens or similar device for capturing external light (i.e., images of an external object).
4. The US Delegate addressed the Secretariat's comments in paragraphs 29 and 31 of the working document in which it was stated that the Explanatory Note to heading 90.06, (I)(14) did not require a photographic camera to have a lens or similar image-capturing device. This Explanatory Note, which was drafted to reflect the decision on the Colorgraph, was misapplied and misread. Specifically, the description in Item (14) (iii), was a direct reference to the Colorgraph which used an optical device to capture the light reflecting from an image. Described as the "dispositif optique" or "optical device" in the Explanatory Note, this was the Colorgraph's scanning device. Because the Colorgraph had a scanning device and because it recorded on film, it had been classified as a photographic camera. He stated that the expansion of heading 90.06 to include machines that did not incorporate a lens or similar device for capturing light reflecting from an object constituted an Article 16 amendment to the Nomenclature.
5. Having concluded that the FIRE laser photoplotters could not be classified in heading 90.06, he then pointed out that these machines performed the function of writing or drawing circuit patterns or graphics designs, a function which was described in heading 90.17. This specific function, whether or not on a film medium, required

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

classification as a drawing machine. Heading 90.10, which was a residual provision for machines of Chapter 90, did not apply because the machines satisfied the specific description in heading 90.17.

6. In response, the EC Delegate argued that provided an apparatus reproduced a visible image on a sensitive surface (photographic film) through the action of light it met the definition of photographic cameras of heading 90.06. Furthermore, it did not need to have a lens, given the example of the cameras used for composing or preparing printing plates, mentioned in the Explanatory Notes to that heading.
7. The Delegate of Canada stated that the Explanatory Notes could not broaden the scope of a legal text and recognized that since the Committee had decided that Note 1 (m) to Section XVI was applicable, these photoplotters must be classified in Chapter 90. However, she felt they were classifiable in heading 90.17 because, unlike the "photographic cameras" of heading 90.06, they processed data recorded in an automatic data processing machine.
8. The Delegate of Sweden provided information on the technological development of the photoplotters concerned to demonstrate that they operated on the same principle as the "Colorgraph" apparatus examined some years ago (1962) by the old Nomenclature Committee and classified in heading 90.07 of the CCCN (90.06 of the HS).
9. When the issue was finally put to a vote, the Committee decided to classify the "FIRE 1000" and "FIRE 9000" in heading 90.06 by 20 votes in favour of that heading to 9 votes in favour of heading 90.17, thereby confirming its previous decision at the 22nd Session.
10. Regarding the subheading applicable within heading 90.06, the Committee decided to classify the "FIRE 1000" in subheading 9006.10 and the "FIRE 9000" in subheading 9006.59.
11. The Committee further instructed the Secretariat to prepare draft Classification Opinions and amendments to the Explanatory Notes for each of the two photoplotters. The drafts would be examined by the pre-session Working Party in March 2000.
12. Finally, in response to the US Delegate's suggestion that consideration be given to amending the legal text of heading 90.06, the Committee invited the US Administration to submit a proposal to the Review Sub-Committee.

* * *

1	2
NC0122E1	Classification of bitter limes referred to as " <i>Citrus latifolia</i> " (Reservation by the US).

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The US Delegate reiterated his Administration's comments set out in paragraphs 9 and 10 of Doc. NC0122E1. In particular, he emphasized that the taxonomic system authored by C. Swingle seemed to be preferred in the scientific community. According to this system, the bitter limes in question, referred to as "*Citrus latifolia*" ("Persian" or "Tahiti" or "Bearss" limes) were covered by the species *Citrus aurantifolia*, and therefore should be classified in subheading 0805.30.
2. In the opinion of his Administration, the study conducted by the Secretariat previously (paragraph 12 of Doc. 42.439) and additional research carried out by the US Administration clearly showed that the Swingle system was to be preferred to that of Tanaka. Furthermore, technical literature (McGraw Hill Encyclopedia of Science & Technology, Encyclopædia Britannica and Standard Cyclopedia of Horticulture) clearly demonstrated that the bitter limes in question were covered by the species *Citrus aurantifolia*.
3. In response to the question raised in paragraph 13 of Doc. NC0122E1 concerning the classification of hybrids in the HS, one delegation mentioned the cogent comments made by the Secretariat in Doc. 42.439, paragraphs 15 to 17, concerning examples of the classification of hybrids of asses and mares of heading 01.01 and also of citrus fruit of heading 08.05.
4. A number of other delegates, however, were of the view, that according to the legal text (of subheading 0805.30) these bitter limes could not be classified in that subheading. In their mind this text was restrictive and the mention of the Latin name (*Citrus aurantifolia*) in subheading 0805.30 was intended to distinguish the limes of this subheading from those of subheading 0805.90. It was therefore clear that the bitter limes referred to as *Citrus latifolia* had to be classified in subheading 0805.90. In this respect it was further stated that the information submitted by the Mexican Administration (Doc. 41.819) and by the Cuban Administration (Doc. 42.103) emphasized that Persian, Tahiti or Bearss limes (*Citrus latifolia*) were quite distinct species from *Citrus aurantifolia* and therefore had to be classified separately.
5. The Committee finally decided to classify, by 23 votes to 1, the bitter limes referred to as "*Citrus latifolia*" in subheading 0805.90 thereby confirming the previous decision at the 22nd Session. To reflect the Committee's decision, the Secretariat was instructed to prepare draft amendments to the Explanatory Note to heading 08.05 for examination by the next pre-session Working Party. These texts should not include references to either Tanaka or Swingle, but simply indicate that, for the purposes of the Harmonized System, the term "*Citrus aurantifolia*" does not cover "*Citrus latifolia*".

* * *

1	2
NC0123E1	Classification of "chicken sauce" (Reservation by Norway).

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. Opening the discussion, the Delegate of Norway presented the arguments put forward by his Administration in Doc. NC0123E1 in support of the reservation it had entered in respect of the decision at the Harmonized System Committee's 22nd Session to classify "CHICKEN TONIGHT" – "Oriental Sweet and Sour Sauce" ("chicken sauce") in heading 21.03 (subheading 2103.90).
2. He stressed that classification of goods should be determined according to the terms of the headings and any relevant Section or Chapter Notes (GIR 1), but noted that, unfortunately, it was not always possible to classify goods without looking into the Explanatory Notes. The Explanatory Notes, though not being part of the legal text, served as an important guide to the interpretation of the Harmonized System and could not be overlooked in the process of the classification of goods. According to the Explanatory Note to heading 21.03 sauces of this heading contained "very little solid matter". Since the product in question contained 33 % of visible pieces of fruit and vegetables of about 1 to 2 cm length and that amount could never be regarded as "very little", he concluded that "Chicken Tonight" had to be classified in Chapter 20 as other prepared vegetables of heading 20.05, if not containing vinegar.
3. Several delegates supported the Norwegian view. In this regard it was argued that the mention of "bolognaise" sauce, containing 39 % of chopped meat, in the Explanatory Note to heading 21.03, could not be taken as a precedent to classify "Chicken Tonight" in the same heading since in "bolognaise" sauce the pieces were smaller. One delegate pointed out that he could live with the classification of "Chicken Tonight" in heading 21.03, but he could not accept the transfer of goods from Chapter 20 to Chapter 21 as a possible consequence of such a decision. There needed to be a clear dividing line between sauces based on vegetables of Chapter 21 and vegetables in a sauce of Chapter 20, for example. Some delegates were concerned about a possible transfer of fruit and vegetables of Chapter 20 to heading 21.03, given that the Explanatory Note to heading 20.05 said that the products of that heading could be whole or in pieces or preserved in sauce.
4. Other delegates were of the view that the Explanatory Notes could not narrow the meaning of the legal texts. Being pourable and intended to be added to food to improve its flavour, the product at issue complied with the dictionary definitions of sauces. It was further stated that, even though the commercial meaning and use of sauces had not changed since the Explanatory Note concerning sauces was first drafted, the scope and variety of sauces had grown beyond the classic smooth style sauces. Since "Chicken Tonight" satisfied the common and commercial meaning of a sauce, it should be classified as a sauce in heading 21.03 by virtue of GIR 1.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (Contd.)

5. The Committee finally decided, by 15 votes to 14, to classify “CHICKEN TONIGHT” – “Oriental Sweet and Sour Sauce” (“chicken sauce”) in heading 21.03 (subheading 2103.90) by application of GIR 1. To reflect the Committee’s decision, the Secretariat was instructed to prepare a Classification Opinion for examination by the next preessional Working Party and draft amendments to the Explanatory Notes for examination by the next session of the HS Committee. It was also decided that during the next revision of the Harmonized System, the Secretariat should prepare draft amendments to the legal texts to be examined by the Review Sub-Committee. In drafting these amendments the Secretariat could take into consideration the definition of sauces applied by the EC in its Combined Nomenclature and any other proposals to be submitted to the Secretariat by interested Contracting Parties.

* * *

1	2
NC0124E1	Classification of the "ENW-9500-F Fast Ethernet Adapter" in subheading 8471.80 (Reservation by the EC).

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

Due to the late publication of the working document, the Committee decided to postpone discussion of this Agenda item until its next session in March 2000.

* * *

1	2
NC0125E1	Classification in subheading 4418.90 of certain drilled lumber used in construction (Reservation by the US).

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. Following a reservation by the United States Administration, the Committee re-examined the classification of certain drilled lumber.
2. The US Delegate stated that the question before the Committee was, very simply, whether or not this lumber product was described by the terms of heading 44.07. He pointed out that the scope of the heading text was not limited by its terms or by the specific processes listed in the Explanatory Notes. As such, neither the legal text nor the Explanatory Note prohibited the presence of two small holes drilled in lumber. The drilled lumber consisted of standard, dimensional lumber and was usable for any application allowed by that standard grade of lumber. The drilled holes did not add significant value, nor did they limit the applications of the lumber. Therefore, these products were not excluded from heading 44.07 by the drilling process.
3. Concerning the argument that the drilled lumber was "builders' joinery and carpentry" of heading 44.18, he argued that the drilled lumber did not satisfy either the common meanings of carpentry or joinery nor the description of those products in paragraph 1 of the Explanatory Note to heading 44.18. The drilled lumber in question was unlike any of the products described as joinery and carpentry. He noted that it was certainly not an assembled work, and it was not in the form of an unassembled piece ready for assembly. The drilled lumber did not fall within the terms of heading 44.18 and, therefore, could not be classified in that heading.
4. Given that heading 44.07 did not preclude drilling of holes in products of that heading, and given the fact that the drilled lumber did not constitute carpentry or joinery, the US Delegate stated that the drilled lumber must be classified in heading 44.07 by application of General Interpretative Rule 1.
5. Noting that others had indicated that drilling alone was not sufficient to remove a product from heading 44.07, the US Delegate argued that "builders' joinery and carpentry" could not include a piece of lumber that had not been processed toward a recognizable component in an assembly. The drilled lumber was a standard piece of construction lumber. The holes, which were drilled at the mill, added little or no value to the product and did not significantly diminish its use in the construction industry as dimensional lumber. In view of this, classification in heading 44.07 could not be avoided.
6. The Delegate of the Libyan Arab Jamahiriya agreed with the US Delegate that heading 44.07 was not limited in its scope, and considered that the Explanatory Note to that heading did not exclude drilling. He, therefore, would classify the product at issue in heading 44.07. The Delegate of Morocco concurred with this view.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

7. The Delegate of Canada, on the other hand, held the view that heading 44.07 was restricted to standard multi-purpose dimensional lumber subjected to processes as described by the terms of the heading and the General Explanatory Notes to Chapter 44 and to the general processes contemplated therein such as end-cutting, easing (planing), treatments (kiln drying). In fact, taking account of the processes described in the legal texts and the Explanatory Notes as well as those non-enumerated processes cited in the US comments contained in document NC0125E1, it is clear that the principle established for goods of heading 44.07, is that they may be processed only to the extent that they do not become dedicated to a specific rather than a general purpose and thereby become articles of another heading.
8. The drilled studs, on the other hand, were processed to the point that they have become committed to assembly into wall sections. Further, the drilling process restricted the products from many other applications such as furniture, decking, roofing, etc. Further, due to the precisely located holes, which enabled cables and wiring to be passed through a wall, the product had been rendered into a specific piece of carpentry and joinery of heading 44.18. By this further processing, the product was excluded from heading 44.07, by application of exclusion (f) on page 676 of the Explanatory Note to heading 44.07.
9. The Canadian expert addressed the impact of the holes on the span strength characteristics of the drilled lumber. He explained that while the holes would not necessarily affect the grade of the lumber and its use as vertical wall components, building codes in the US and Canada placed more severe restrictions on lumber used in horizontal applications such as joists and trusses which would preclude the use of drilled studs.
10. The views of the Delegate of Canada were supported by a number of other speakers.
11. Referring to the question put forward by the Secretariat in paragraph 5 of Doc. NC0125E1, the EC Delegate pointed out that heading 44.07 was, in the second part of its text, an open-ended heading. Other processes than those enumerated in that part of the heading text were allowed provided that such processes did not render the wood into an article classifiable in another heading. Since the holes had been accurately drilled and located, and were intended for placement of cables or pipes, he considered that the product at issue was recognizable as a product of heading 44.18.
12. When the matter was put to a vote, the Committee, by 19 votes to 8, confirmed its previous decision that the drilled lumber in question was classifiable in heading 44.18, subheading 4418.90.
13. To reflect the above decision, and at the request of the Delegate of Canada, the Secretariat was instructed to prepare a draft Classification Opinion for examination by the next preessional Working Party.

* * *

1	2
NC0126E1	Possible amendments to the Explanatory Notes concerning the osmotic dehydration process.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee agreed to amend the Explanatory Notes to Chapters 8 and 20. It was however decided that the Secretariat's draft amendments should first be examined by the next preessional Working Party.
2. The Secretariat was, therefore, instructed to prepare a new working document, taking into consideration the written proposal submitted by the Canadian Administration during the meeting and any other proposals to be submitted by administrations.

* * *

1	2
NC0069E1 (HSC/23) NC0127E1 NC0146E1	Classification of bakers' wares (waffles).

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. Many delegates were of the view that even though the Explanatory Note to heading 19.05 contained a 10 percent water-content limitation for waffles, the waffles in question had to be classified in subheading 1905.30 because the legal text placed no restrictions on the water-content of waffles. They believed that the Explanatory Notes could never restrict the scope of the legal texts. When the legal texts were clear, as in this case, they saw no need to consult the Explanatory Notes. In addition, the US Delegate stated that there was no technical basis for the 10 percent water-content limitation for waffles. It was also pointed out that a number of waffles on the market, known as Liège waffles, Belgian waffles, etc., had a moisture content of more than 10 %. These products were commonly and commercially known as "waffles". Not classifying these products as waffles would be both contrary to the legal texts and commercial reality. All waffles, regardless of the water content, remained waffles and should therefore be legally classified in subheading 1905.30.
2. Other delegates indicated that they were also of the view that the Explanatory Notes were not legally binding, but when the Explanatory Notes contained a clear definition like that for waffles, they had to be read in conjunction with the legal texts. It was also pointed out that classifying goods according to a name given by a producer could lead to inopportune classifications. Furthermore, industrial circles in Europe were of the view that the distinction between "dry" waffles of subheading 1905.30 and "wet" waffles of subheading 1905.90, should be kept. One delegate emphasized, that e.g., both the Explanatory Notes to heading 17.02, Item (A) (6), and heading 19.05, Item (8) (b), contained restrictive provisions similar to waffles, and that these provisions were very helpful in clarifying the classification of certain products to which specific names were given. These delegates were, therefore, of the view that waffles containing more than 10 percent water should be classified in subheading 1905.90.
3. In response to the comment regarding dry and wet waffles, it was noted that nothing in the legal text made a distinction between waffles on a dry or wet basis.
4. After this discussion, the Committee decided (by 18 votes to 10) to classify the waffles presented by Japan in Doc. NC0069E1 in subheading 1905.30 (by application of GIR 1).
5. To reflect the above decision, the Secretariat was instructed to prepare a Classification Opinion for examination by the next preessional Working Party.
6. The Secretariat was also instructed to prepare suitable amendments to the Explanatory Notes for the consideration of the Committee.

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1	2
NC0128E1	Study concerning possible amendments to the Nomenclature and/or the Explanatory Notes to clarify the classification of certain crisps in heading 19.05.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. One delegate stated that, in principle, he could agree with the proposals put forward by the Secretariat in the working document. However, since the working document had arrived late and his Administration had not been able to complete consultations with the industry, and the fact that these products were important in trade, he suggested postponing consideration of this item to the next session of the Committee.
2. The Committee therefore decided to postpone the examination of this item until its next session.

* * *

1	2
NC0027E1 NC0086E1 (HSC/23) NC0129E1 NC0154E1	Classification of "high fat cream cheese" and possible creation of a definition of cheese of heading 04.06.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. Opening the discussion of this question, one delegate emphasized that this was a preliminary discussion, but it was important at this stage to agree on the products to be classified. He was of the opinion that the Committee should concentrate on the classification of the "new" products submitted for analysis to the Customs laboratories of Austria, Canada, Finland, France, Ireland, Japan, Mexico, the Netherlands, United Kingdom and the United States.
2. He was a little worried about the discrepancies in the different test results regarding the "new" products, but he stated that the Committee should look at these results with flexibility. Finally, he proposed that the Secretariat should prepare one summary document containing all the relevant information available, including the test results from the laboratories which had carried out their tests, the latest Codex General Standard for cheese and the Secretariat's neutral analysis of all this information. On the basis of this information, the Committee would hopefully be able to take a final decision at its next session in March 2000.
3. The Delegate of Australia argued that the product in question had to be classified as cheese for the following reasons :
 - (a) High fat cream cheese meets the definition established by the International Dairy Federation (IDF) – a definition which has been accepted by the CODEX Alimentarius Commission;
 - (b) High fat cream cheese complies with the three provisions set out in Note 3 to Chapter 4. At the same time it does not comply with Note 2 (b) to Chapter 4 defining dairy spreads. According to that Note, dairy spreads have to be spreadable emulsions of the "water-in-oil type". As this product is phase variable, it could not be classified in heading 04.05.
4. As to the "varying" test results, he pointed out that the tests have to be performed on fresh products. It may have been the case that some tests had been carried out on old products and under varied conditions, and that this could explain the varying results. The technical expert from Australia confirmed that transport and storage problems, in addition to the age of the product before testing, appeared to be the explanation for the varying test results. It appeared to him that the products had not been examined under the same conditions.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

5. The Delegate of Japan stated that with regard to the new samples sent from Australia, all of which were not the same as the original samples especially new sample A was not similar in chemical composition to either the original samples (samples (a), (b) and (c) (Doc. 41.475 and NC0027E1)) and did not have the same organoleptic characteristics, although new samples B and C (Doc. NC0086E1 and NC0154E1) were of similar nature to the original samples. He asked the Committee to take a decision based on the original samples since these samples had given rise to classification problems in Japan. Since Australia had already accepted the analysis of the products done by Japan (see paragraph 12 of Doc. NC0027E1), the classification of the products could be based on these results in combination with the organoleptic characteristics of the new products. In his view, these products could be classified as dairy spreads in heading 04.05 or as other food preparations in heading 21.06.
6. The Delegate of Japan stated that the problem concerning the proper classification of high fat cream cheese had grown further because the importation of high fat cream cheese had increased since the HSC started the discussion several years ago. He strongly requested the Committee to rule on the classification of the original samples at the 25th Session in March 2000.
7. After discussion, the Director confirmed that the Secretariat was prepared to issue a summary document to be examined at the Committee's next session. However, the Committee should first decide on which samples to classify.
8. Since it was impossible to carry out organoleptic tests with regard to original samples (a), (b) and (c) due to the fact that these old samples no longer existed, the Committee agreed to first examine the classification of new samples A, B and C on the basis of the summary document to be prepared by the Secretariat. Thereafter, the Committee will examine the classification of original samples (a), (b) and (c) on the basis of the test results as mentioned above, taking into account the decisions to be taken regarding new samples A, B and C.
9. The Committee finally agreed that the Secretariat was free to decide whether it was necessary to consult the Scientific Sub-Committee once more before submitting this classification question to the Committee at its next session.

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1	2	4
NC0130E1	Amendment of the Explanatory Note to heading 38.16.	<u>See Annex K/1.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. During the discussion of this issue one delegate stated that sodium silicate and magnesium or zinc fluosilicates were not hydraulic binders and therefore the proposed amendment to the third line of the first paragraph of the Explanatory Note to heading 38.16 was not acceptable. Instead, it was proposed to add the following sentence at the end of the present first paragraph : "Products of this heading may also contain non-refractory binders such as hydraulic binders".
2. She also stated that there existed ramming mixes other than dolomite ramming mixes and therefore the reference to "ramming mixes" should be retained in the Explanatory Note to heading 38.16. Further, the reference to hydraulic binders in the amendment to Item (b) of the third paragraph of the Explanatory Note to heading 38.16 was not necessary. However, if the Committee wanted to retain the reference, she proposed to delete "Ramming mixes" and substitute "Ramming mixes, including those with added hydraulic binders".
3. Another delegate however expressed the sense of the majority of the Committee that the amendments drafted by the Secretariat merely served to distinguish dolomite ramming mixes of heading 25.18 (which used non-hydraulic binding agents) from those of heading 38.16 which used hydraulic binding agents. It was noted that the Scientific Sub-Committee had specifically recommended the insertion of the word "hydraulic" between the words "added" and "binders" in the first paragraph of the Explanatory Note to heading 38.16 (see Annex A/4 to Doc. 42.850E1). The Secretariat proposal was thus complementary to the amendments of the Explanatory Note to heading 25.18 which the Committee approved at its last session.
4. The Committee finally agreed to adopt the texts proposed by the Secretariat in the Annex to Doc. NC0130B1 regarding the amendments to the Explanatory Note to heading 38.16, by 15 votes to 2 for the first paragraph of the Explanatory Note, by 20 votes to 2 for the third paragraph and with minor modifications for the last paragraph.
5. The texts adopted are set out in Annex K/1 to this Report.

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1	2
NC0131E1	Study of possible criteria for distinguishing between medicaments and premixes containing antibiotics.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Director explained that with regard to possible criteria for distinguishing between medicaments and premixes containing antibiotics the Scientific Sub-Committee had already studied the question and concluded that no general criteria could be established. He further explained that due to lack of clear guidance as to "further studies" that the Committee had instructed the Secretariat to carry out, the Secretariat had only prepared possible amendments to the Explanatory Notes on the basis of the suggestions made by the Scientific Sub-Committee for consideration by the Committee.
2. The Committee agreed that no further study was necessary. The Chairman noted that administrations were, of course, free to submit additional information, if any further studies were to be carried out.
3. With regard to the classification of the remaining two products, "Linco-Spectin Premix" and "Licomix 110", forwarded previously by the Polish Administration, the Delegate of Poland informed the Committee that it was no longer necessary to examine their classification.

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1	2
NC0132E1 NC0143E1	Classification of "gas condensates".

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. Several delegates agreed that the information provided by China and Saudi Arabia and reproduced in paragraphs 15 to 32 of Doc. NC0132E1 accurately reflected the fact that "gas condensates" were obtained by stabilization of wet natural gas immediately on its extraction. The process involved consisted of extracting the condensable hydrocarbons contained in the wet natural gas by cooling and depressurisation. They believed that this was supported by the information found by the Secretariat in technical literature. Referring to the first paragraph of the Explanatory Note to heading 27.09, they also pointed out that this heading covered natural products, whatever their composition, whether obtained from normal or condensation oil-deposits. As "gas condensates" were natural products and had not been subjected to any process beyond those allowed in the aforementioned Explanatory Note, they would be classifiable in heading 27.09.
2. Another delegate, however, felt that the process involved could be described as fractionation, rather than mere stabilization of wet natural gas. Through this sophisticated process which, he believed, was beyond the processes allowed in the Explanatory Note to heading 27.09, wet natural gas was separated into its two constituents : gas and "gas condensate". "Gas condensates" were, therefore, more like a light oil and, indeed, according to the technical information cited by the Secretariat in Doc. NC0132E1, were comparable to the gasoline fraction of petroleum oil classifiable in heading 27.10. He cautioned that reliance on the reference to "condensation oil-deposit" in the Explanatory Note to heading 27.09 was misplaced because it was not demonstrated that this product was the same as the gas condensates at issue. He believed that the Committee should determine the nature of such oil deposits before deciding the classification of gas condensates. Further, he pointed out that the Scientific Sub-Committee was of the opinion that there was almost no practical way of distinguishing between "gas condensates" and the similar products of heading 27.10. Therefore, he suggested that the matter be referred back to the Scientific Sub-Committee for more concrete advice.
3. After this discussion, the Committee agreed, by 27 vote to 4, to classify "gas condensates" in heading 27.09.
4. Taking into account that this question was related to a Chinese proposal concerning the separate identification of "gas condensates" in the HS, the Committee left it to the Chinese Administration to decide whether it wished to renew its proposal. In this connection, the Delegate of China stated that his Administration would send a new proposal to the Secretariat for consideration by the Review Sub-Committee during the next review cycle.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

5. Finally, the Committee instructed the Secretariat to draft appropriate amendments to the Explanatory Notes to reflect its decision that heading 27.09 also covered “gas condensates”, for examination by the next presessional Working Party.

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1	2
NC0133E1 NC0161E1	Possible amendment of the Nomenclature and/or the Explanatory Note to heading 17.04 concerning "detectable" cocoa content.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

After a short exchange of views, the Committee concluded that further action was not appropriate because there was insufficient information concerning trade in sugar confectionery containing very small quantities of cocoa. Accordingly, the Committee decided not to amend the Nomenclature nor the Explanatory Notes.

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1	2
NC0043E1 (HSC/23) NC0144E1	Classification Opinion concerning a specific "Veegum" product.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee agreed that, according to Note 1 to Chapter 25, the headings of Chapter 25 included products which were in the crude state or obtained by processes allowed under that Note unless the context of the headings or Note 4 to the Chapter otherwise required. Products which had been roasted, calcined, obtained by mixing or subjected to processing beyond that mentioned in each heading were excluded.
2. However, the Committee noted that regular "Veegum" was obtained through a patented process which involved blending magnesium and aluminium based clays in predetermined ratios, the addition of water to create a slurry, the action in the ball mill to disintegrate the clays in order to remove some impurities, centrifugation to remove additional impurities and then drum-drying the mixture in order to obtain an end product with desirable properties that did not exist in the natural state. The chemical composition of the end product (regular Veegum) as a whole was different from that of the individual input materials (e.g., the silicon dioxide, aluminium oxide, calcium oxide, etc. content of regular "Veegum" was considerably different from the content of those chemicals in the input materials).
3. On this basis, the Committee unanimously agreed to classify regular "Veegum" in heading 38.24 (subheading 3824.90) taking into account that it was similar to the products described in Item (45) of the Explanatory Note to that heading (page 585).
4. To reflect its decision, the Committee instructed the Secretariat to draft a Classification Opinion on regular "Veegum" for examination by the next presessional Working Party. In addition to the description of the product examined, the draft Classification Opinion should also refer to the processing method which the product had undergone.

* * *

1	2
NC0048E1 (HSC/23) NC0139E1	Classification of imagesetters and ink-jet printers and study of the Explanatory Note to heading 84.42.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

Imagesetters

1. The EC Delegate stated that the function of the SelectSet Avantra 30 was the recording of visible images by light action on light-sensitive materials (photographic film). He referred to Doc. NC0139E1, paragraph 23 and, in particular, the group (iii) equipment. This equipment was described as operating by having the light "projected" onto the film from inside the camera by a laser beam. The laser beam eliminated the requirement of a focusing lens, as it used coherent light and, consequently, was capable of projecting the light onto the film in the form of a small dot.
2. The EC Delegate agreed with paragraph 20 of Doc. NC0139E1, wherein the Secretariat had indicated its view that the operating principle of the SelectSet Avantra 30 was similar to the FIRE 1000 and, as a result, the SelectSet Avantra 30 should be classified in the same heading as the FIRE 1000. In this regard, reference was made to the Committee's earlier decision to classify the FIRE 1000 in subheading 9006.10. He explained that, in the interest of consistency, the Committee should classify the SelectSet Avantra 30 in subheading 9006.10, in the same manner as the FIRE 1000, as the equipment functioned in a similar manner; that is, the recording of visible images by light action on light-sensitive materials.
3. The Delegate of Sweden explained that composing machines, as described in the Explanatory Note to heading 84.42, page 1337, paragraph 3, existed, as far as he knew, for a relatively short period of time but had now been replaced by computers of heading 84.71 and imagesetters, also known as film image recorders, of heading 90.07. The composing function was now performed by computers. The imagesetters, however, did not compose; they simply recorded visible images on photosensitive film by the action of light. Since the imagesetters performed a photographic function, he concluded that they were classifiable in heading 90.06 as photographic cameras.
4. Basing his comments on the legal text of 84.42 and the Explanatory Notes, the US Delegate stated that heading 84.42 included the imagesetters which prepared film for the production of printing plates. These imagesetters functioned by using a laser to write text or graphics from a digital file onto a special film (used to make printing plates) or by writing directly onto polyester printing plates. The Explanatory Note to heading 84.42, page 1337, paragraph 3, described the basic construction and function of these machines: "The heading also includes composing machines using a laser beam projected onto photographic film."
5. Concerning an argument that this Explanatory Note referred to an obsolete machine and that the imagesetters consisted only of the component that printed onto film, the US Delegate observed that this was a strange conclusion because the functional principle, laser

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

writing onto film, would control in both cases under that analysis. After emphasizing that the imagesetters did not have a lens or similar device to capture images of objects, he argued that imagesetters could not be classified as photographic cameras as proposed by the Secretariat. This was made evident by the Explanatory Note to heading 84.42 which distinguished between those typesetting machines that printed on film with the use of a photographic camera and those that printed on film without the use of a photographic camera. Therefore, he urged classification in heading 84.42.

6. The Chairman reviewed the descriptions of the SelectSet Avantra 30, Dolev 4 Press and Accuset 1500 Plus equipment and concluded that their operation was similar. He then called for a vote. By 16 votes to 5, the Committee decided to classify the SelectSet Avantra 30 in heading 90.06 by application of GIR 1. Subheading 9006.10 was determined to be appropriate. The same classification was agreed for the Dolev 4 Press and Accuset 1500 Plus equipment. However, the Committee agreed that only one Classification Opinion, that being for the SelectSet Avantra 30, was necessary.

Ink-jet printer

7. As concerns the classification of the Iris 3047 ink-jet printer, the EC Delegate was not opposed to classification in heading 84.43 on the basis of Note 5 (E) to Chapter 84. However, he expressed concern that the application of this Note to ink-jet printers might run the risk of emptying Note 5 (D) to the Chapter of its meaning; Note 5 (D) stipulated that printers were in all cases classified in heading 84.71. As a result the EC Delegate felt that there may be a conflict between the text of heading 84.43 and Notes 5 (D) and 5 (E) with respect to the classification of printers. To deal with this in the future, he suggested that this issue be looked at within the context of the next Review Cycle.
8. The US Delegate also took the view that they would classify ink-jet printers in heading 84.43 for the reasons stated in Doc. NC0139E1.
9. One delegate wondered whether the introductory part of the text of Note 5 (B) to Chapter 84 should be read in conjunction with subparagraphs 5 (B) (b) and 5 (B) (c) of the Note. The Committee agreed that the introductory part of the text must be applied.
10. The Delegate of Canada stated that the Canadian Administration would classify the Iris 3047 in heading 84.71.
11. By 21 votes to 2, the Committee decided to classify the Iris 3047 in heading 84.43 by application of GIR 1 and Note 5 (B) and 5 (E) to Chapter 84. The Committee then agreed that subheading 8443.51 would be appropriate.
12. The Committee instructed the Secretariat to draft a Classification Opinion and an exclusion note to the Explanatory Note to heading 84.71 for examination by the next pre-session Working Party.

Study of the Explanatory Note to heading 84.42

13. The Director drew the Committee's attention to Doc. NC0048E1, wherein the Secretariat had begun a preliminary analysis of the Explanatory Note to heading 84.42 and

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

the equipment mentioned therein. The Secretariat had suggested that the updating of heading 84.42 and its Explanatory Note be undertaken in the context of the next Review Cycle on the basis of input received from administrations.

14. The Committee decided that no deletions should be made to the Explanatory Note to heading 84.42 at this time. Instead, the Committee agreed with the Director's suggestion that the updating of heading 84.42 and its Explanatory Note be undertaken in the context of the next Review Cycle.

* * *

1	2
42.448 42.508 (HSC/22)	Possible amendments of the Explanatory Note to heading 84.71.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. Recalling that this item had already been postponed several times, the Chairman invited the Committee to examine this issue.
2. The EC Delegate began the discussion by expressing concern about inserting a list of products (as set out in Annex IX to Doc. 42.448) together with their classification in the Explanatory Notes, without providing a detailed description. He also stressed that it was difficult to adopt the Secretariat's list of articles directly, as some of the machines covered could be classified in a heading other than 84.71. However, he did support an amendment of the Explanatory Note to heading 84.71.
3. Another delegate noted that there were lists of this type in other parts of the Explanatory Notes and, therefore, was not against the inclusion of a list of new products. He also felt that a large number of the products listed in Annex IX to Doc. 42.448 raised no classification problems and required no specific decision by the Committee. References to obsolete articles in the Explanatory Notes should be deleted, and it should be specified that this was justified by the low volume of trade but did not affect the classification of such products in heading 84.71. Finally, he agreed with the preparation of separate documents for a number of classification questions which deserved to be examined by the Committee.
4. With regard to a proposal for reviewing the description of products used in the Explanatory Notes by using the terminology commonly used in trade (e.g., computers instead of automatic data processing machines), it was pointed out that it would be preferable, where possible, to align the Explanatory Note descriptions on the legal terminology.
5. The Director proposed that the Committee adopt the following procedure in order to make progress on this question : (1) examine the list of products to be deleted from the Explanatory Notes as obsolete, (2) identify products that had to be presented as classification issues and (3) instruct the Review Sub-Committee to examine the Explanatory Note to heading 84.71 with a view to bringing it up to date with current technology and trading patterns.
6. Having approved this procedure, the Committee then examined the list of products in Doc. 42.448, taking account of the additional information provided by the ICC in Doc. 42.508.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

7. Finally, the Committee decided to :
- (i) Delete from the Explanatory Notes references to : punched card units and punched tape units (subheading 8471.60), magnetic drum storages and magnetic core storages (subheading 8471.70), floating point arithmetic units (subheading 8471.80), card punches, tape punches, verifying machines (for cards), calculators (operating with card punch machines), sorting machines, tabulating machines (subheading 8471.90).
- In addition, at one delegate's request, the reference to "readers" was placed in square brackets as requiring additional study.
- (ii) Request the Secretariat to prepare separate documents for the classification of the following products :
- Automatic control units
 - Touch panels
 - Game controllers of a type used for ADPs
 - Projection panels
 - Print engines
 - Graphic tablets / Digitizers
 - DVD storage units
 - Optical autoloaders and libraries
 - Tape autoloaders and libraries
 - Propriety storage formats
 - Flash electronic storage cards
 - Roamabout.
8. In any event, the Committee agreed to await the final decision concerning LAN equipment, the classification of which was still subject to a reservation, before ruling on the classification of other LAN equipment (e.g., communications controllers or routers, cluster controllers).
9. The deletion of obsolete items from the Explanatory Note to heading 84.71, described in paragraph 7 (i) above, is to be submitted to the next preessional Working Party in March 2000.
10. Finally the Review Sub-Committee was asked to examine the Explanatory Note to heading 84.71 in its entirety, once the Committee had completed its consideration of the classification questions enumerated in paragraph 7 (ii) above.

* * *

1	2
NC0049E1 (HSC/23)	Classification of repeaters used in LAN systems or in the telephone line system.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

As this question was to be examined together with Agenda Items VII.1 and VII.5 which had been postponed until the Committee's next session, it was also decided to defer the examination of this item until the Committee's March 2000 session.

* * *

1	2
NC0051E1 NC0087E1 (HSC/23)	Classification of the "Color QuickCam".

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. The EC Delegate pointed out that the apparatus was identified in the working document as a digital camera, and that such cameras were mentioned in the text of heading 85.25. The apparatus met the three conditions mentioned in Note 5 (B) to Chapter 84, but the beginning of that paragraph specified that classification in heading 84.71 was subject to the provisions of paragraph (E) of the same Note.
2. Because the apparatus performed a specific function other than data processing and that function was mentioned in the text of heading 85.25, in his view it should be classified in the latter heading by application of paragraph (E) of Note 5 to Chapter 84, which took precedence over the conditions mentioned in paragraph (B) of the Note. The fact that the "Color QuickCam" could not be used without an automatic data processing machine was not a valid argument for classifying it in heading 84.71.
3. Another delegate recalled that the apparatus converted light images into digital electronic signals, a function typical of the apparatus of heading 85.25 which thus ruled out classification in heading 84.71.
4. Yet another delegate stated that the essential question was how to interpret paragraphs (B) and (E) of Note 5 to Chapter 84, that is to say, did the apparatus have a specific function other than data processing ? Though the "Color QuickCam" was an input device for an automatic data processing machine, its function was that of the apparatus of heading 85.25, which therefore applied by virtue of Note 5 (E) to Chapter 84.
5. Following this discussion, the Committee voted on classification at 4-digit level and decided to classify the apparatus in heading 85.25, by 25 votes in favour of that heading to 2 in favour of heading 84.71.
6. The Committee also decided that the diskettes were classifiable separately in accordance with Note 6 to Chapter 85, but that the rest of the system should be classified in heading 85.25 as a set put up for retail sale.
7. Regarding the subheading applicable under heading 85.25, the US Delegate explained that the apparatus could not record still images, its function being to send a continuous flow of digital signals to the automatic data processing machine to which it was connected. The data input in this way was processed by the software that was loaded on the ADP machine. Therefore, on the basis of paragraph 6 of Doc. NC0051E1 and the Explanatory Note to heading 85.25, part (D), page 1489, he took the view that the "Color QuickCam" did not fit the definition of "still image video cameras and other video camera recorders" within the

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

meaning of subheading 8525.40. The apparatus operated more like a television camera, so he would classify it in subheading 8525.30.

8. The description in the box in paragraph 10 of Doc. NC0051E1 did not seem to reflect the mode of operation correctly and should be amended. He pointed out that for classification at 4-digit level some delegates had regarded the apparatus as similar to "television cameras" while other delegates saw it as a "still image video camera". If it was not covered by either of the two subheading texts concerned, the Committee should perhaps envisage reexamining the classification at 4-digit level, given that heading 85.25 had no residual subheading.
9. The EC Delegate, while voicing satisfaction at the US proposal to classify the apparatus in heading 85.25, said that according to the information obtained from the manufacturer and set out in paragraph 3 of Doc. NC0051E1, the "Color QuickCam" could capture both still images and video images, convert them and send them to an ADP machine. Furthermore, according to subparagraph 4 of that paragraph, it could record images and was identified as a digital camera. It therefore met the requirements of the text of subheading 8525.40.
10. Classification at subheading level should be based on GIR 6. From the legal standpoint, the fact that there were doubts as to which subheading within heading 85.25 was applicable should not call into question the Committee's formal decision to classify the apparatus at 4-digit level in heading 85.25, which had been adopted by a large majority and should be regarded as final. In this context, if the apparatus falls within the scope of the 4-digit heading it must necessarily fall within the scope of one of its subheadings.
11. The Director noted that opinions diverged as to the exact nature of this apparatus, particularly as to whether or not it could record images, a condition that was necessary for classification in subheading 8525.40. Additional information was needed to describe its mode of operation more precisely. Given that there was no residual subheading in heading 85.25, if the additional study showed that the "Color QuickCam" could not be classified in any of the subheading of heading 85.25, the Committee might have to decide again on the question of classification at 4-digit level.
12. In conclusion, the Committee maintained its decision to classify the "Color QuickCam" in heading 85.25, and instructed the Secretariat to make an additional study and prepare a new document that would enable the question of classification at subheading level to be decided at its next session.

* * *

1	2
NC0052E1 NC0074E1 (HSC/23)	Classification of a video card, sound card and software therefor.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

As this question was to be examined together with Agenda Items VII.1 and VII.5 which had been postponed until the Committee's next session, it was also decided to defer the examination of this item until the Committee's March 2000 session.

* * *

1	2
42.489 (HSC/22) NC0054E1 (HSC/23)	Classification of closed circuit video equipment.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. Several opinions were expressed during the discussion of this question, following the Chairman's explanation of the composition and nature of the elements making up the closed circuit video system at issue.
2. Some delegates were in favour of separate classification of the various elements. They felt that Note 4 to Section XVI (concerning functional units) was not applicable given that there was no single function. While recognizing that the system at issue could be regarded as a set, they felt that this was inadvisable because its essential character was difficult to determine. They also felt that the use of GIR 3 (c) was not appropriate in this case.
3. Other delegates took the view that the system at issue could be classified in heading 85.28 (video monitors), by application of Note 4 to Section XVI or by GIR 3 (b).
4. When the issue was put to a vote the Committee decided, by 21 votes to 3, to accept the principle of separate classification of the closed circuit video system's various components.
5. However, given the difficulties that the Committee might face in preparing a Classification Opinion, it was unanimously decided that the Secretariat should draft an amendment to the Explanatory Notes to be examined by the presessional Working Party in March 2000.

* * *

1	2
NC0134E1	Classification of a laminated product, called "PolySwitch", consisting of outer layers of nickel and an inner layer of plastics (Reservation by Canada).

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. The Delegate of Canada spoke in support of her Administration's reservation, pointing out that the inner layer of a polymer/carbon black mixture was the material that gave the product the electrical characteristics that enabled it to be used for making resettable fuses. In view of its composition, the plastics layer could not be regarded as a simple coating within the meaning of Note 1 (d) to Chapter 75. Therefore, she considered the product as a sheet of plastics material, laminated with nickel foil, classifiable in heading 39.21 by application of GIR 3 (b).
2. Another delegate felt that the electrical characteristics of the inner layer (conductor or non-conductor) should be ignored since this layer would give the article its essential character only when the article became the finished article. The outer layers of metal material should be considered as giving the article its essential character, since the plastics layer was completely embedded in two outer layers of nickel which predominated by weight and the article was in no-way different from a sheet of nickel of heading 75.06.
3. The EC Delegate stated that the manufacturer of "Polyswitch" considered the product as an incomplete article with the essential characteristics of the complete article and recommended classification in Chapter 85 by application of GIR 2 (a) and also taking account of the article's function. In support of this view he provided some new samples of the product at issue. He also stated that, as the article was a sheet of nickel laminated with plastics, he saw some difficulties in arguing for a classification different from that adopted by the Committee at its previous session, given that it is not recognizable at the time of clearance as an article of Chapter 85. He therefore proposed to maintain classification in subheading 7506.10.
4. A fourth delegate pointed out that the nickel foil that formed the product's outer layers would serve as terminals for the resettable fuses; he also took the view that this was a semi-manufactured product and that classification as laminated nickel sheet of subheading 7506.10 seemed to be the most appropriate. This was confirmed by Item 2 (g) on page 1071 of the General Explanatory Note to Chapter 72.
5. However, another delegate pointed out that the plastics sheet was the functional component in the design of the sheet. In addition to the electrical characteristics of the plastics, it would be appropriate under a Rule 3 (b) analysis to consider the relative value of the metal and plastic layers. This information, however, was not available or considered.
6. The Delegate of Morocco, while sharing this view, also said that in his opinion no element in the documentation indicated the nature of the nickel sheet; the question arose as to whether it was a sheet of unalloyed nickel or of nickel alloy. Bearing this in mind and until

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

additional information was available, it would be wise to include subheading 7506.20 as a possible classification.

7. In response, the Delegate of Japan said that according to information received from his Administration this was a sheet of non-alloyed nickel.
8. Following this discussion, the Committee unanimously agreed that GIR 2 (a) was not applicable to this article and ruled out classification in Chapter 85. The Committee subsequently confirmed by 29 votes to 3 (for heading 39.21) its previous decision to classify the laminated product called "Polyswitch" in heading 75.06 (subheading 7506.10) by application of GIR 3 (b) and taking account of Note 1 (d) to Chapter 75.
9. To reflect this decision, the Committee instructed the Secretariat to prepare a draft Classification Opinion which would be examined by the next presessional Working Party.

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ANNEX H

NEW QUESTIONS

Working doc.	Subject	Classification Opinions	E.N. amendments	Nomenclature amendments
1	2	3	4	5
42.485 (HSC/22) NC0068E1 (HSC/23)	Possible amendment of the Explanatory Notes concerning ammonium nitrate fertilisers.			

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. One delegate supported the Venezuelan proposal to introduce a quantitative criterion for distinguishing between products of subheadings 3102.30 and 3102.40. She indicated her preference for a demarcation line based on the ammonium nitrate content rather than the total nitrogen content which would involve complex laboratory analysis. She also suggested a 90 % ammonium nitrate content criterion calculated on the dry weight basis in preference to the proposed 95 % criterion and requested that this question be submitted to the Scientific Sub-Committee.
2. Many delegates supported the proposal to submit the matter to the Scientific Sub-Committee. In this connection, one delegate informed the Committee that it would not be necessary to prepare a new working document for the Scientific Sub-Committee since the two documents (42.458 and NC0068E1) had fully covered the points to be examined by the Sub-Committee.
3. The Delegate of China stated that in order to distinguish the products of sub-headings 3102.30 and 3102.40, it would be desirable to introduce a new Legal Note to Chapter 31. The Chairman invited him to submit a separate proposal in this regard to the Review Sub-Committee for consideration during the next review cycle.
4. After this discussion, the Committee agreed to send the issue to the Scientific Sub-Committee and ask it to provide advice on the following on the basis of Docs. 42.485 and NC0068E1 :
 - (i) A criterion for distinguishing between products of subheadings 3102.30 and 3102.40.
 - (ii) Appropriate test methods therefor.

* * *

1	2
42.486 (HSC/22)	Classification of tools made of base metal.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. The Delegate of Switzerland informed the Committee that his Administration had had difficulty in classifying this compact multi-purpose tool made of base metal. However, since it was a composite article made up of different components each having a specific use, he proposed classification by application of GIR 3 (b). In his Administration's view, it was the pliers that gave the tool its essential character, and he accordingly suggested classification in heading 82.03.
2. The Committee agreed and unanimously decided to classify the base-metal "Super Tool" in heading 82.03 (subheading 8203.20), by application of GIR 3 (b).

* * *

1	2
42.509 (HSC/22)	Classification of a freezer for foodstuffs.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. In the light of the information given in the working document, the Committee unanimously decided to classify this freezer in subheading 8418.30 by application of General Interpretative Rules 1 and 6.
2. In addition, the Delegate of Morocco suggested that the Explanatory Note to heading 84.18 should be amended to include provisions indicating the temperature at which freezing occurs as opposed to simple cooling. However, the Committee agreed to leave it to the administration concerned to submit a proposal if it so wished.
3. Given that the Argentine Administration was not represented at the present Session, the Committee invited the Secretariat to ask that administration whether it wants a Classification Opinion on the matter.

* * *

1	2
42.493 (HSC/22) NC0155E1	Classification of the "PIX-DSX-1 Digital Cross-Connect".

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. While specifying that the apparatus to be classified was the circuit card and not the whole plastics housing, one delegate recalled that the apparatus at issue consisted of a centralized cross-connect for digital telephone signals, comprising several elements, namely connecting elements, printed circuit, resistor and light emitting diode (LED), and was used for test, connection and cross-connection purposes for various digital network devices. Hence it was not a simple fuse or switch assembly, such as those of heading 85.36. As the principal function of this apparatus was to connect telephone circuits, he felt it was classifiable in heading 85.37.
2. Another delegate pointed out that the only functions of this apparatus were to connect and cross-connect elements of telephone networks, as well as some additional test functions. The apparatus for electric control or the distribution of electricity of heading 85.37 were more complex assemblies whose functions went beyond those of a simple connection. He also felt that heading 85.17 was not applicable and favoured classification in heading 85.36.
3. In contrast, another delegate felt that the text of heading 85.17 was more specific than that of heading 85.36 and that the apparatus of heading 85.36 was designed for electrical telephone lines having a relatively high voltage, whereas the apparatus at issue was used in telephone lines with electronic circuits, with a very low voltage (fraction of a volt). He therefore felt that the device at issue was apparatus for line telephony of heading 85.17.
4. It was pointed out in this respect that the Explanatory Note to heading 85.17 (page 1475, exclusion (g)) specified that switching equipment for telephone equipment was excluded from that heading and classified in heading 85.36 (being explicitly mentioned therein) and that no distinction should be made between electric and electronic signals.
5. Following this discussion, the Committee initially decided, by a large majority (24 votes to 2) that the "PIX-DSX-1 Digital Cross Connect" was not an electrical apparatus for line telephony within the meaning of heading 85.17.
6. After a second vote the Committee decided, also by 24 votes to 2, that the apparatus was classifiable in heading 85.36 (subheading 8536.90) as electrical apparatus for making connections to or in electrical circuits, rather than in heading 85.37 (apparatus for electric control or the distribution of electricity), by application of General Interpretative Rules 1 and 6.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

7. To reflect this decision, the Secretariat was entrusted with preparing a Classification Opinion to be examined by the next preessional Working Party.

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1	2	4
42.724 (HSC/22) NC0084E1 (HSC/23) NC0147E1	Proposal by Argentina for the amendment of the Subheading Explanatory Note to subheading 8524.39.	<u>See Annex K/15.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Chairman introduced the issues put forward by the Argentine Administration, i.e., (i) the classification of three CD-ROMs (containing software for a control program, an encyclopaedia and an entertainment game, respectively), (ii) a possible amendment of the Subheading Explanatory Note to subheading 8524.39, and (iii) a possible amendment of the Explanatory Note to heading 85.24.
2. The Committee agreed unanimously to classify the three CD-ROMs at issue in subheading 8524.39, as suggested by the Secretariat in Doc. NC0147E1.
3. The Committee also agreed unanimously to amend (i) the Subheading Explanatory Note to subheading 8524.39 and (ii) Item (8) of the Explanatory Note to heading 85.24, on page 1487 (both amendments as suggested by the Secretariat in paragraph 4 to Doc. NC0147E1).
4. The texts adopted are set out in Annex K/15 to this Report.

* * *

1	2
42.731 (HSC/22)	Classification of language laboratory equipment.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. In introducing the discussion of this question, the Chairman described the language laboratory to be classified and asked delegates whether or not they felt it met the definition of a functional unit in Note 4 to Section XVI.
2. Several delegates felt that the various components making up the language laboratory did not contribute together to a clearly defined function covered by a heading in Chapter 84 or 85 and should therefore be classified separately.
3. Other delegates stated that their administrations classified such equipment as functional units. For one administration, the principal function of the equipment as a whole was that of sound recording apparatus of heading 85.20.
4. Another delegate supported the argument for classification as a functional unit but suggested that this system fell in heading 90.23 as "apparatus designed for demonstrational purposes".
5. One delegate responded that such a classification was ruled out by the text of heading 90.23 which specified "unsuitable for other uses".
6. Another delegate had proposed classification in heading 85.43, as a product not elsewhere specified or included.
7. When the question was put to a vote, the Committee decided by 20 votes to 6 in favour of the separate classification of the various components making up the language laboratory. It was felt that there was no need to draft a Classification Opinion.

* * *

1	2
NC0056E1 (HSC/23) NC0145E1 NC0162E1	Study with a view to establishing guidelines for the classification of double-cab pick-up vehicles.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

Questions posed by Argentina

1. In respect of the Argentine questions (a) whether the Nomenclature should be amended to clarify the scope of the expression “for the transport of ten or more persons” in the text of heading 87.02 and (b) whether the criteria of adults of normal size (approximately 70 kg in weight and 1.70 m in height) and the seat and passenger space dimensions should be specified in a Chapter Note (see paragraph 31 of Doc. NC0056E1), while one delegate stated that her Administration interpreted the term “persons” in the context of headings 87.02 and 87.03 as referring to adults, many delegates agreed that this term should cover both adults and children for the purposes of those headings. It was very difficult to define the term “persons” in the HS and therefore it was impossible to establish a criterion referring to “adults of normal size” since the meaning of these expressions differed from one country to another in accordance with their national regulations.

2. It was also pointed out that the classification of motor vehicles in headings 87.02, 87.03 and 87.04 had so far been determined by the Harmonized System Committee not only on the basis of the seating capacity of the vehicles, but also many other criteria, as listed by the Secretariat in Annex II to Doc. NC0056E1, such as the presence of seats or anchor points and fittings for installing seats in the rear section, design features, mechanical construction, suspension, load capacity, interior finish, etc., as well as certain new criteria, e.g., the existence of safety equipment (e.g., safety seat belts) and comfort features for the transport of persons. Classification was also affected by national provisions imposed by ministries of industry, transport, traffic, etc. Therefore, placing limitations in the HS defining the term “persons” and the expression “adults of normal size” for the purpose of the classification of motor vehicles was inadvisable and inappropriate.

3. As regards the classification of the “TATA SUMO 483” and “Ssang Yong MUSSO 601 and MUSSO 602” vehicles, the Committee felt that the information provided by Argentina was insufficient and inconsistent in respect of applying the aforementioned criteria (e.g., existence of anchor points, safety measures, type of seats). However, the Delegate of Korea submitted to the Committee further documentation concerning the “Ssang Yong MUSSO 601 and MUSSO 602” ten-seater and twelve-seater models and explained that the “MUSSO 601” was equipped with a 2299 cc diesel engine and the “MUSSO 602” with a 2874 cc diesel engine. The two seats in the rear section of these vehicles were made of the same fabric and upholstered in the same fashion as the two front seats; they were of excellent quality and strength, 93 cm long, provided enough space for three persons each, were equipped with three safety seat belts each and were anchored. As such, these motor vehicles were designed for the transport of 10 or 12 persons, including the driver. Further, they were very

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

similar to the "Land Rover Model 110" vehicles which were classified by the Committee at its 5th Session in heading 87.02.

4. It was noted that, according to the documentation submitted by the Korean Delegate, the vehicles under consideration had been certified by the Departments of Industry and Taxation in Argentina, as vehicles for the transport of 10 or more persons, including the driver.
5. Several delegates stated that, on the basis of the Committee's views on the general criteria applicable for classification purposes (see paragraph 2 above), they would classify the motor vehicles in question in heading 87.02. Other delegates noted that, from the pictures submitted, it was difficult to say that the seats in the rear section provided comfortable space for three persons. In this connection, it was pointed out that legal texts did not refer to "comfort" as a criterion. The issue was to determine whether the vehicles concerned were designed for the transport of ten or more persons, including the driver.
6. After this discussion, by 28 votes to 3, the Committee classified the "Ssang Yong MUSSO 601, ten-seater and twelve-seater" and the "Ssang Yong MUSSO 602, ten-seater and twelve-seater" model motor vehicles in heading 87.02 (subheading 8702.10).
7. Since the classification of the vehicles concerned had been requested by the Argentine Administration, the Secretariat was instructed to contact that Administration to find out whether it needed a Classification Opinion. If so, the Secretariat should prepare a draft Classification Opinion for examination by the next preessional Working Party.
8. The Committee also decided that the classification of "TATA SUMO 483" motor vehicles could be re-examined at its next session on the basis of further information to be submitted by Argentina.

Questions posed by Zambia

9. In response to the questions posed by the Zambian Administration (see paragraph 3 of Doc. NC0145E1), the Committee noted that certain motor vehicles which might potentially fall in heading 87.02, 87.03 or 87.04 should be classified on a "case-by-case" basis. Such vehicles could be manufactured with different configurations, mechanical structure, interior finish, safety measures, etc. under different code or model numbers and, therefore, could be classified in any of the above headings. Also, since the term "persons" should refer to both "adults" and "children" in the context of headings 87.02 and 87.03, seats for children in the rear section of the vehicles in question would be regarded as convenient for the transport of "persons".

Secretariat's study

10. It was pointed out that the Secretariat's study of the Committee's previous classification decisions and the various criteria considered by the Committee for distinguishing between certain vehicles of headings 87.02, 87.03 and 87.04 (see Annexes I and II to Doc. NC0056E1) clearly reflected the fact that the Committee's individual decisions in the past had always been consistent. As auto manufacturing technology was rapidly changing,

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

any criteria to be established in the Explanatory Notes might become obsolete in the near future. Therefore, there was no need to take any further action in this respect.

11. However, several delegates indicated that, for their administrations, the classification of motor vehicles in headings 87.02, 87.03 and 87.04 was one of the areas subject to frequent disputes. In order to obtain uniformity in classification, at least between administrations, the Harmonized System should be updated to set out detailed criteria for distinguishing between the motor vehicles under consideration. They agreed that the table prepared by the Secretariat was a good basis for such a future study but, where available, possible new criteria should also be taken into account. Whether the results of the study should be inserted in the General Explanatory Notes to Chapter 87 or in the individual Explanatory Notes to aforementioned headings either in table or text form, or both, could be decided upon by the Committee at a later stage. However, it was also agreed that the study should not include any criteria that might lead to a classification change from one heading to another.
12. Finally, the Committee instructed the Secretariat to continue its study of the matter and prepare a new document for examination at its next session. Administrations were requested to consult their industry and to submit their proposals, if any, to the Secretariat during the intersession.

* * *

1	2
42.477 (HSC/22)	Classification of two-wheeled golf carts.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Delegate of Malaysia reiterated his Administration's views summarized in paragraphs 3 and 4 of Doc. 42.477. He also agreed with the Secretariat that the golf carts at issue would be classifiable in heading 87.16, since they were non-motorized vehicles used simply for the transport of golf equipment, not for playing golf.
2. On the basis of the arguments put forward by the Malaysian Administration and by the Secretariat, the Committee unanimously classified two-wheeled golf carts in heading 87.16 (subheading 8716.80).
3. To reflect its decision, the Committee instructed the Secretariat to prepare a draft Classification Opinion for examination by the next presessional Working Party.

* * *

1	2
42.497 (HSC/22)	Classification of laser pointers.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Committee decided, unanimously, to classify the laser pointers at issue in heading 90.13, by application of GIR 1. While most delegates felt that these pointers were described by the reference to lasers in the heading text, some delegates were of the view that they were other optical appliances or instruments.
2. With respect to the applicable subheading, one delegate argued that subheading 9013.20 was not applicable, since the text of that subheading referred to “lasers”. This term was described in the Explanatory Note to heading 90.13, first paragraph, Item (2), on page 1600. The fourth subparagraph of that item excluded lasers with a specific function. A laser pointer, being a laser instrument with a specific function, was, therefore, not covered by the term “laser” (as used in subheading 9013.20) and would, consequently, be classifiable under subheading 9013.80.
3. Other delegates argued, however, that the exclusion subparagraph applied to the 4-digit level and not to the subheading level. Furthermore, since the product at issue was classified as a “laser” at 4-digit level, the same classification should apply at subheading level. These delegates favoured classification in subheading 9013.20.
4. When the matter was put to a vote, the Committee, by 25 votes to 3, decided to classify the laser pointers in question in subheading 9013.20, by application of GIRs 1 and 6.
5. To reflect the above decision the Secretariat was instructed to prepare a draft Classification Opinion for examination by the next preessional Working Party.

* * *

1	2
42.462 (HSC/22)	Scope of the term "scale" in subheading 9503.20.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. The EC Delegate indicated that the EC's English-speaking members took the view that there was no problem of alignment between the English and French versions as to the scope of the word "scale" in the English text of subheading 9503.20.
2. Other English-speaking delegates also stated that the term "scale" was perfectly satisfactory and that there was no need to amend the text of subheading 9503.20. In practice, a scale model did not need to incorporate every feature of the original being copied. They felt that the Explanatory Note to heading 95.03, paragraphs A (3) and B (page 1712) made the scope of subheading 9503.20 perfectly clear.
3. The Committee agreed unanimously to maintain the status quo, both in the legal text and in the Explanatory Notes, because there were precise criteria delineating the dividing line between subheadings 9503.20 and 9503.30.

* * *

1	2
42.437 (HSC/22)	Classification of certain stationery sets.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. One delegate informed the Committee that the “Desk Organizer No. P915S” comprised a number of commonly used office supplies and given its presentation, composition and the complementary nature of its components for a specific purpose, classification in a single heading could be envisaged by application of GIR 3 (b). If the stapler were deemed to give the article its essential character, classification in subheading 8472.90 could be envisaged.
2. Other delegates were in favour of separate classification, given that office work was not a specific function. The components of the “Desk Organizer” could not therefore be considered a set and, moreover, it would be difficult or even impossible to identify the article giving the whole its essential character.
3. Another delegate supported the first proposal for classification by application of GIR 3 (b). However, he opted for classification of the “Desk Organizer” in subheading 3926.10, as he felt that the plastics holder gave the whole its essential character.
4. The Committee, finally, decided, by 21 votes to 7, to classify the “Desk Organizer” by application of GIR 3 (b), and not to classify the components separately. However, it agreed not to rule on the definitive heading for the “Desk Organizer”, given that it did not contain enough data to determine which of the components was likely to give the set its essential character. The same reasoning was applied to the classification of two other articles in question, namely the “Stationery Set No. P201” and the “Stationery Set No. P203”.

* * *

1	2
NC0057E1 (HSC/23)	Classification of certain microwave ovens.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. The Committee's discussion first brought out the fact that industrial microwave ovens were classified in heading 85.14 and microwave ovens of a kind used for domestic purposes in heading 85.16.
2. One delegate argued, however, that the articles at issue were used principally in commercial establishments, such as restaurants. He said that there were three types of microwave ovens : (1) domestic appliances, which generally had an output power of less than 1,000 watts; (2) commercial appliances, with a power output of between 800 and 3,500 watts; and (3) industrial appliances with a power output of more than 3,500 watts. His Administration was of the view that the commercial microwave ovens could not be classified as either domestic or industrial and should, therefore, be classified in heading 84.19.
3. Another delegate stated that the term "industrial" covered industries such as the service industry (e.g., the restaurant industry) and that there were only two possible classifications for these products in the HS (i.e., heading 85.14 or heading 85.16). A large number of delegates shared this view.
4. When a vote was taken, the Committee decided, by 22 votes to 1, that the microwave ovens at issue were classifiable in subheading 8514.20.
5. The Secretariat was instructed to prepare a draft amendment to the Explanatory Note to heading 84.19, with a view to incorporating a new exclusion for the appliances covered by this decision. The draft would be examined by the next presessional Working Party in March 2000.

* * *

1	2
NC0058E1 (HSC/23)	Classification of vehicles with removable seats or benches.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

The Committee agreed with the Secretariat that this Agenda Item should be included in the general study with a view to establishing guidelines for the classification of the vehicles of headings 87.02, 87.03 and 87.04 (see Annex H/7 to this Report).

* * *

1	2
NC0059E1 (HSC/23)	Classification of multifunctional digital copiers.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. The Delegate of Brazil informed the Committee that this question first arose in the context of a proposal by the Brazilian Administration to change the Nomenclature because of current problems in the classification of these products. He stated that the demonstrations on 12 October 1999 provided delegates with the opportunity to see a number of different machines and that each of these machines should be examined individually.
2. He informed the Committee that the Xerox Document Centre 230 DC, which it had referenced in its proposal to amend the Nomenclature, performed the functions of printing, faxing, photocopying and scanning. It was not possible to classify the individual elements separately and, as a result, GIR 3 (b) had to be applied. It was his Administration's view that this machine was a reproducing or copying machine. Consequently, the two functions most appropriate to the classification of this machine were the scanning and copying functions. His rationale was that these were typical functions used in reproducing (copying) a document that already existed.
3. Between the scanning and photocopying functions, the Brazilian Administration felt that the photocopying function represented the essential character of the unit since the reproduction process in this apparatus was optical and electrostatic, similar to that of the photocopying process. Therefore classification in heading 90.09 by application of GIR 3 (b) would be appropriate. If the Committee did not consider it possible to determine essential character, then classification in heading 90.09 would still be appropriate by application of GIR 3 (c).
4. Other delegates indicated that it was premature for the Committee to take a decision, as there was no document before the Committee containing the necessary technical information.
5. The Director suggested that the Secretariat study the classification of multifunctional digital copiers on the basis of a number of machines that could be selected from those that were demonstrated to delegates last week. Several delegates agreed that this would be an appropriate course of action. The US Delegate indicated that perhaps the Secretariat could choose the models in consultation with the industry, thereby ensuring that the basic types of machines (e.g., a desk top model which incorporates a fixed scanning device over which an image is passed, a flatbed scanning device connected to a printer unit and a network connectable machine) would be represented in the study.
6. The EC Delegate informed the Committee that the EC had classified a multifunctional machine performing the functions of printing, faxing, photocopying and scanning in heading 90.09 by application of GIR 3 (c). The Chairman asked the EC Delegate to submit the appropriate technical literature to the Secretariat.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

7. The US Delegate also expressed the view that, as stated earlier in this Committee, terms used in the industry to describe products may not be sufficient for classification. For example, a photocopier of heading 90.09 takes an image and either puts it directly on a paper or puts the image directly on a drum. There is no conversion to a data file, as is the case with these multifunctional units. It was his view that one of the functional components of these devices (i.e., the scanner) was an optical reading device of heading 84.71. Consequently, he suggested that a device which operates on the principle of an optical reader would not, perhaps, be classifiable as a photocopier which traditionally is designed and operates on a different principle.
8. The Committee decided that the Secretariat in consultation with the industry and Contracting Parties would choose a representative samples of machines for study by the Committee. Technical information with regard to these machines would then be made available to administrations as quickly as possible, in order for administrations to study the matter and to submit their comments to the Secretariat. The Secretariat, for its part, would also prepare its comments to be included in a document for the Committee's next session.
9. In response to the EC Delegate's comments concerning the possibility of also studying the amendment of the legal texts, the Chairman indicated that once these machines had been classified, the Committee could then look into the advisability of amending the legal texts.

* * *

1	2
NC0062E1 (HSC/23)	Classification of the "Smirnoff Mule" beverage.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. One delegate was of the view that the examination of this item should be postponed to the next session in March 2000. In his view, important information in regard to the manufacturing process of this product was missing. The process of diluting ginger beer containing 12 - 14.5 % by volume of alcohol with water, to make a preparation containing 1.5 % by volume of alcohol, before fortifying it with Smirnoff Vodka to make the "Smirnoff Mule" beverage containing 5.5 % by volume of alcohol, had to be clarified. Information indicating the amount of vodka which had been added during this process should be obtained before taking a final decision on the classification of this important product.
2. It was therefore agreed that the Secretariat should prepare a new document for the next session setting out a detailed description of the production process.

* * *

1	2
NC0066E1 (HSC/23) NC0150E1	Classification of "Meloxicam".

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng.)

1. One delegate informed the Committee that Meloxicam was a sultam which had a $-SO_2NH-$ (sulpho-amino) structure in a ring, while sulphonamides of heading 29.35 contained the same $-SO_2NH-$ structure but not in a ring. She further explained that the term "sulphonamides" was a term used to describe a specific series of chemicals which were first developed in the 1930's as potent antibacterial drugs and possessed certain functional characteristics. These characteristics included the $-SO_2NH-$ (sulpho-amino) group and a para-substituted $-NH_2$ (amino) group. However, the $-SO_2NH-$ group could not be in a ring structure or it would lose its antibacterial activity. Thus she concluded that Meloxicam, as well as other sultams, did not have the functional characteristics of a sulphonamide and should remain classified in heading 29.34.
2. Several delegates supported the classification of Meloxicam in subheading 2934.10. However, one delegate expressed the view that Meloxicam should be classified in subheading 2934.90.
3. Noting the technical nature of this question, one delegate suggested that it would be appropriate to refer this question to the Scientific Sub-Committee for advice.
4. However another delegate pointed out that the Scientific Sub-Committee at its 6th Session had suggested classification of Meloxicam in subheading 2934.10 and subsequently the Harmonized System Committee at its 11th Session approved this classification. He stressed that Item (D) (2) of the Explanatory Note to heading 29.34 specifically referred to sultams. Noting that there was no interest indicated in the Committee for classifying this item in heading 29.35 as a sulphonamide, he stated that it was not necessary to refer this question to the Scientific Sub-Committee and that the Committee should confirm its earlier approval.
5. After discussion, the Committee decided, by 17 votes to 2, not to refer the question to the Scientific Sub-Committee. The Committee then decided, unanimously, to classify Meloxicam in heading 29.34 by application of GIR 1. With regard to the subheading, the Committee decided by 15 votes to 1, to classify Meloxicam in subheading 2934.10 as a component whose structure includes an unfused thiazole ring rather than in subheading 2934.90.

* * *

1	2
NC0041E1 (HSC/23) NC0151E1	Classification of a compression-type refrigerator.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. Given that Argentina was not represented at the present Session, the Chairman summarized the Argentine Administration's comments as set out in the working document.
2. Regarding the nature of the articles to be classified, the Committee unanimously agreed that given the limited information available it could not take a decision with a full knowledge of the facts. The Secretariat was therefore asked to again contact the Argentine Administration for further information with regard to these products.
3. Regarding the scope of the texts of subheadings 8418.61 and 8418.69, the Committee felt that the legal texts and Explanatory Notes concerned were generally satisfactory. However, the Committee decided to continue this study to determine the various types of condensers on the market and to also determine if there are condensers which do not operate according to the principle of heat exchange as described in Explanatory Note (I) (B) to heading 84.19.
4. The Secretariat was accordingly instructed to prepare a new working document for the Committee's next session.

* * *

1	2
NC0071E1 (HSC/23) NC0151E1	Classification of the "Media Composer 1000".

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. The Secretariat began the discussion of this question by explaining that, following the United States request to resubmit this issue to the Harmonized System Committee, it had conducted a new study and received a demonstration of the "Media Composer 1000". From the additional information obtained, it now appeared that the initial decision taken by the Committee at its 18th Session might be based on erroneous information regarding the nature of the components and the operation of this apparatus, which was why the Secretariat had issued Doc. NC0151E1.
2. The EC Delegate was concerned by the fact that the decision taken by the Committee in 1996, by a large majority (18 votes to 3), was being questioned, although no new data had been presented; the technical data in the new working document was the same as that in the Classification Opinion adopted by the Committee, except for the presence of software. In that respect, all systems required software and that addition did not change the initial classification of the system, on the understanding that the software was to be classified separately in heading 85.24, by application of Note 6 to Chapter 85.
3. He recalled that the apparatus was described as a system consisting of a combination of machines having a specific function, and that classification in heading 85.43 was based on Note 4 to Section XVI (functional unit) and on Note 5 (E) to Chapter 84. The machine was specially designed, once the software was loaded, to record video images (a function mentioned specifically in a heading of Chapter 85), create video effects, edit or finalize video programmes, which was clearly a specific function, other than data processing. At its 23rd Session, the Committee had classified a voice processing system in heading 85.17 (for which the Committee had just adopted a Classification Opinion (Annex K/4 to the present Report)), and that appliance was of similar configuration to the "Media Composer 1000" and also included software. Furthermore, he took the view that the Committee was being asked to classify a complete system performing some very precise video functions.
4. He remained convinced that the initial classification was correct and based on very precise rules laid down in the Harmonized System, namely Note 4 to Section XVI and Note 5 (E) to Chapter 84 which determined the classification of combinations of machines performing a specific function other than data processing. He therefore proposed that the Committee confirm the classification of the "Media Composer 1000" system in sub-heading 8543.89, by application of GIRs 1 and 6, and that the software, called "Media Composer", be classified in heading 85.24 by virtue of Note 6 to Chapter 85.
5. In support of that view, another delegate also pointed out that the machine at issue comprised components (a display unit with an interlaced scanner and various boards) whose function went well beyond that of elements making up an ordinary automatic data processing

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

machine, and that it was able to receive and send video signals, a function other than data processing. Finally, given the technological developments, this delegate doubted that the machine examined in 1996 was identical to that demonstrated at the present Committee session.

6. The US Delegate said that following additional research by his Administration, it had concluded that the Committee's decision to classify this machine in heading 85.43 was based on an incorrect analysis of its design and operation. That decision was based on the presence of elements such as the video monitor and specialized boards, which performed specific editing and audio functions, whereas those specific functions were actually performed by the software. The various boards were of the type usually used in ordinary automatic data processing machines, and their only function was to increase the capacity of the machine and not to make it suitable for a specific use.
7. He added that the fact of inserting software in an automatic data processing machine permitting it to perform a specific task (e.g., drawing software) did not mean that this machine should be considered a machine with a specific function (a drawing machine in that case). He also dismissed the comparison with the voice processing system, as the latter served as switching apparatus to route calls and place calls on hold, these being specific functions of telephony apparatus.
8. He concluded that the "Media Composer 1000" was a freely-programmable machine fulfilling all the conditions of Note 5 to Chapter 84, classifiable in heading 84.71 as an automatic data processing machine presented in the form of a system.
9. After this discussion, the Committee decided, by 14 votes to 7, that the "Media Composer 1000" should be classified in heading 84.71 rather than in heading 85.43, by application of Note 5 (A) to Chapter 84 (subheading 8471.49 by virtue of Subheading Note 1 to Chapter 84), the software being classified in heading 85.24, by application of Note 6 to Chapter 85.
10. To reflect the above decision, the Secretariat was instructed to prepare a draft Classification Opinion for examination by the next preessional Working Party.
11. Finally, it also decided, following a roll call vote, by 23 votes to 8 (two abstentions) to delete the present Classification Opinion 8543.89/4 on page 40a of the Compendium.

* * *

1	2
NC0135E1	Classification of a non-electric stainless steel "Chafing Dish" ("bain-marie").

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. It was recalled that the fundamental issue was determining whether these chafing dishes were classifiable in Section XV or in Section XVI.
2. It was pointed out that this product used fuel in a gel form, which automatically ruled out heading 85.16. In addition, its function was to maintain food at a constant temperature, thus not fulfilling the conditions set out in the text of heading 84.19, namely treating materials by operations involving a change of temperature. This chafing dish was therefore to be excluded from heading 84.19 by virtue of the heading text (application of GIR 1).
3. However, one delegate felt that heading 84.19 should be taken into consideration because the chafing dish heated water in the pan under the food, thus keeping the food at a constant temperature. On the basis of the Explanatory Note to heading 84.19, page 1271, he felt that this product was designed to submit materials (in this case, water) to a heating process in order to cause a change of temperature, and that it was therefore classifiable in this heading.
4. In reply to this argument, the Committee was informed that the incorporated heat source was insufficient to raise the water's temperature substantially and that, according to the description of the product in the Annex to the working document, the water was already hot when poured into the pan.
5. With regard to classification in Section XV, headings 73.21, 73.23 and 73.26 were taken into consideration.
6. It was pointed out that heading 73.21 covered, inter alia, gas-rings, plate warmers and similar appliances and could be applied in this case, but that a restrictive interpretation of "domestic" in the heading text would result in the chafing dish being excluded from that heading, as its dimensions, characteristics and functions clearly went beyond those of products normally used for domestic purposes.
7. One delegate felt that the dimensions of this product did not exceed those of "domestic" appliances.
8. It was also pointed out that the expression "household articles" in the text of heading 73.23 was less restrictive than the expression "domestic appliances", and that the chafing dish at issue was classifiable in that heading by virtue of its legal text, this interpretation being confirmed by the Explanatory Note to the said heading (page 1123, first paragraph). This heading was also more specific than residual heading 73.26.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (contd.)

9. However, it was further pointed out that the term “household” (“ménage” in the French version) used in the text of heading 73.23 was also used in the Explanatory Note to heading 73.21 (page 1121, first paragraph, Item (iii)), leading to confusion. It could therefore be deduced that heading 73.23 also had a limited scope and that the product at issue was to be excluded from that heading and classified in heading 73.26.
10. Following this discussion, the Committee first decided, by 28 votes to 1, that the chafing dish should be classified in Section XV and not Section XVI. It then agreed, by 21 votes to 4, that it was not a domestic appliance within the meaning of heading 73.21. The Committee finally decided, by 22 votes to 1, to classify it in heading 73.23 (sub-heading 7323.93) rather than in heading 73.26, by application of GIRs 1 and 6.
11. To reflect the above decision, the Secretariat was instructed to prepare a draft Classification Opinion for the next preessional Working Party in March 2000.
12. It was also pointed out that this classification decision, adopted on the basis of the legal text of the headings at issue, had highlighted a possible ambiguity in the heading texts, as the terms “household” and “domestic” in English seemed to have been interpreted differently in headings 73.21 and 73.23.
13. On this last matter, the Director informed the Committee that the Secretariat would look into conducting, on its own initiative, a general study of the scope of the expressions “domestic” and “household” in the Nomenclature and the Explanatory Notes.

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1	2
NC0136E1	Classification of galvanized steel roofing tiles.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. One delegate began the discussion of this issue by indicating that the goods under examination were clearly recognizable as articles of steel for the construction of roofs. Thus the classification recommended by the Secretariat, in heading 73.08 as articles for building or constructional purposes, could be endorsed. He also suggested that the reference to tiles in the Explanatory Note to heading 73.26 be maintained, but with an exclusion for tiles intended for building or construction.
2. Another delegate supported this position, pointing out that the English term "tiles" referred both to roofing tiles ("tuiles pour construction") and tiles for floors and walls ("carrelages"). He thus agreed with the proposal to classify the tile at issue in heading 73.08 and to amend the Explanatory Note to heading 73.26.
3. The Committee unanimously decided to classify steel tiles for constructional purposes in heading 73.08 (subheading 7308.90) by application of GIRs 1 and 6, and to amend the Explanatory Note to heading 73.26.
4. To put this decision into effect the Secretariat was instructed to prepare draft amendments to the Explanatory Notes for examination by the preessional Working Party due to meet in March 2000.

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1	2	4
NC0137E1	Possible amendments to the Explanatory Note to heading 84.21.	<u>See Annex K/16.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng./ Fr.)

1. The Committee unanimously adopted the Secretariat proposal for amending the French Explanatory Notes to heading 84.21 in order to replace "entièrement" by "principalement", so as to align on the English text, to correct a misalignment between the French and English text.
2. The texts adopted are set out in Annex K/16 to this Report.

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1	2
NC0140E1 NC0157E1 NC0163E1	Classification of "Rougher headed lumber".
NC0141E1 NC0159E1	Classification of "Notched lumber".

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Eng./Fr.)

Due to the late publication of the documents containing the views of the United States Administration, it was agreed that examination of these items should be postponed to the Committee's next session.

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1	2
NC0148E1	Classification of certain special textile yarns.

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

Due to the late publication of the working document, the Committee decided to postpone discussion of this Agenda item until its next session in March 2000.

* * *

ANNEX IJ

OTHER QUESTIONS

Working doc.	Subject	Classification Opinions	E.N. amendments	Nomenclature amendments
1	2	3	4	5
NC0142E1	List of questions which might be examined at a future session.	<u>See Annex M.</u>	<u>See Annex M.</u>	<u>See Annex M.</u>

DECISIONS OF THE HARMONIZED SYSTEM COMMITTEE (O. Fr.)

1. The Committee took note of the list of questions in the Annex to Doc. NC0142E1 and decided to delete questions 4, 6, 7, 10, 11 and 15.
2. With regard to action in respect of questions 1 and 2 which had been with the Committee since its 18th Session, the Secretariat reported that, as far as question 1 was concerned, it was still waiting for a reply to the letter it had sent the ICAO in July 1999, and question 2 would be on the Permanent Technical Committee's Agenda in November 1999.
3. The above-mentioned list, updated by deleting the questions mentioned in paragraph 1 and adding a new series of questions raised at the meeting for examination in greater detail or at a later date, is set out in Annex M to this Report.

* * *

Annexe K/1 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/1

MODIFICATION DE LA NOTE EXPLICATIVE DU N° 38.16

(Voir annexe G/11 ci-dessus)

ANNEX K/1

AMENDMENTS OF THE EXPLANATORY NOTE TO HEADING 38.16

(See Annex G/11 above)

AMENDMENTS TO THE EXPLANATORY NOTES
TO BE MADE BY CORRIGENDUM

CHAPTER 38.

Page 576. Heading 38.16.

1. First paragraph. Third line.

Delete “added binder” and substitute “added hydraulic binder”.

2. Third paragraph. Item (b).

Delete “**Ramming mixes**” and substitute “**Ramming mixes** with added hydraulic binders”.

3. Last paragraph. Exclusions.

Delete and substitute :

"The heading **does not cover** :

(a) Dolomite ramming mixes with an added non-hydraulic binder (e.g., tar, pitch, resins) (**heading 25.18**).

(b) Carbonaceous pastes of **heading 38.01**."

* * *

MODIFICATIONS DES NOTES EXPLICATIVES
A EFFECTUER PAR VOIE DE CORRIGENDUM

CHAPITRE 38.

Page 576. N° 38.16.

1. Premier paragraphe. Troisième ligne.

Remplacer "additionnés d'un liant" par "additionnés d'un liant hydraulique".

2. Troisième paragraphe. Alinéa b).

Remplacer "**mélanges de damage**" par "**mélanges de damage** additionnés d'un liant hydraulique".

3. Dernier paragraphe. Exclusions.

Nouvelle rédaction :

"La position **ne comprend pas** :

- a) Les pisés de dolomie additionnés d'un liant non hydraulique (goudron, brai, par exemple) (**n° 25.18**).
- b) Les pâtes carbonées du **n° 38.01**."

* * *

Annexe K/2 au Doc. NC0160B2
Annex to
(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/2

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT DECOULANT
DU CLASSEMENT D'UN PRODUIT ALIMENTAIRE CROUSTILLANT
NON SUCRE DENOMME "POM-BÄR"

(Voir annexe F/1 ci-dessus)

ANNEX K/2

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
ARISING FROM THE CLASSIFICATION OF "POM-BÄR" SNACK FOOD

(See Annex F/1 above)

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 1b.

Insérer l'Avis de classement suivant :

"1905.90 3. Produit alimentaire croustillant obtenu à partir d'une pâte à base de poudre de pommes de terre, présenté sous forme de petits ours et conditionné pour la vente au détail, composé de poudre de pommes de terre (31 % environ), d'huile végétale, d'amidon, d'amidon modifié, de sel, de sucre, d'émulsifiant (lécithine), d'extrait de levure et d'épices, frit dans l'huile et prêt à être consommé."

Page 48.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4
"1905.90	3	NC0160F1/F1	"POM-BÄR"

* * *

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 1b.

Insert the following Classification Opinion :

"1905.90 3. **Crisp savoury food products, made from a dough based on potato powder**, in the shape of bears and put up for retail sale, composed of potato powder (about 31 %), vegetable oil, starch, modified starch, salt, sugar, emulsifier (lecithin), yeast extract and spices, fried in oil and ready for consumption."

Page 48.

Insert the following references :

Column 1	Column 2	Column 3	Column 4
"1905.90	3	NC0160E1/F1	"POM-BÄR"

* * *

Annexe K/3 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/3

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT DECOULANT
DU CLASSEMENT DANS LE N° 20.08 DES FRUITS TROPICAUX

(Voir annexe F/2 ci-dessus)

ANNEX K/3

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
ARISING FROM THE CLASSIFICATION OF TROPICAL FRUIT IN HEADING 20.08

(See Annex F/2 above)

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 2.

Insérer les Avis de classement suivants :

- "**2008.20** 1. **Ananas séchés** sous forme de cubes, de tranches ou de morceaux irréguliers, obtenus, après blanchiment, par déshydratation osmotique dans un sirop de sucre, suivie d'un séchage à l'air.
- 2008.99** 2. **Papayes séchées** sous forme de cubes, de tranches ou de morceaux irréguliers, obtenues, après blanchiment, par déshydratation osmotique dans un sirop de sucre, suivie d'un séchage à l'air."

Page 48.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3
" 2008.20	1	NC0160F1/F/2"

Page 48a.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3
" 2008.99	2	NC0160F1/F/2"

* * *

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 2.

Insert the following Classification Opinions :

- "**2008.20** 1. **Dried pineapples** in the form of cubes, slices or irregular pieces, obtained, after blanching, by osmotic dehydration in a sugar syrup, followed by air dehydration.
- 2008.99** 2. **Dried papayas** in the form of cubes, slices or irregular pieces, obtained, after blanching, by osmotic dehydration in a sugar syrup, followed by air dehydration."

Page 48.

Insert the following references :

Column 1	Column 2	Column 3
" 2008.20	1	NC0160E1/F/2"

Page 48a.

Insert the following references :

Column 1	Column 2	Column 3
" 2008.99	2	NC0160E1/F/2"

* * *

Annexe K/4 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/4

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

DECOULANT DU CLASSEMENT DANS LE N° 8517.30

D'UN PROCESSEUR VOCAL

(Voir annexe F/3 ci-dessus)

ANNEX K/4

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

ARISING FROM THE CLASSIFICATION OF A VOICE PROCESSING SYSTEM

IN SUBHEADING 8517.30

(See Annex F/3 above)

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 39.

Insérer l'Avis de classement ci-après :

- "8517.30** 1. **Processeur vocal**, constitué d'une unité centrale de traitement (fonctionnant sous DOS) comprenant un disque dur et un lecteur de disquettes, d'un clavier, d'un moniteur, d'une ou de plusieurs cartes de détection des appels, d'un logiciel et d'un modem. Cet appareil est destiné à améliorer le traitement des appels reçus par un standard privé en acheminant les appels vers le poste voulu, en mettant l'appel entrant en attente, puis en prévenant son destinataire qui peut prendre la communication, en informant les utilisateurs des messages reçus et en informant la personne qui appelle un poste occupé de sa place dans la file d'attente, lorsque plusieurs communications téléphoniques ont été mises en attente. Cette procédure ne fait pas appel à un modem puisque les cartes de détection peuvent reconnaître des signaux analogiques et les transformer en signaux numériques. Le modem dont est muni le processeur est utilisé uniquement pour effectuer des appels à distance à des fins de diagnostic. Le cas échéant, le logiciel est classé séparément dans le n° 85.24.

Application de la RGI 1 et de la Note 6 du Chapitre 85."

Page 66.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4
"8517.30	1	NC0160F1/F/3	"MVX"

* * *

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 39.

Insert the following Classification Opinion :

- "8517.30** 1. **Voice processing system**, consisting of a central processing unit (DOS operated) with a hard disk and a floppy disk drive, a keyboard, a monitor (CRT), with built-in call detection board(s), software and a modem. It is dedicated to enhancing the processing of telephone calls from a PBX (private branch exchange) by routing calls to the selected destination in an office, placing a caller on hold, making a paging announcement for the intended party, notifying users of messages received, and informing a caller of the number of callers queued before him. No modem is used in this process. The call detection boards are used to recognize the analogue signal and convert it to digital format. The modem is used only for remote dial-in for the purpose of diagnostics. Where applicable, the software is classified separately in heading 85.24.

Application of GIR 1 and Note 6 to Chapter 85."

Page 66.

Insert the following references :

Column 1	Column 2	Column 3	Column 4
"8517.30	1	NC0160E1/F/3	"MVX"

* * *

Annexe K/5 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/5

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT
ET DES NOTES EXPLICATIVES DECOULANT DU CLASSEMENT
DANS LE N° 3305.10 DE CERTAINS SHAMPOOINGS SPECIAUX

(Voir annexe F/4 ci-dessus)

ANNEX K/5

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
AND EXPLANATORY NOTES ARISING FROM THE CLASSIFICATION OF CERTAIN
SPECIAL SHAMPOOS IN SUBHEADING 3305.10

(See Annex F/4 above)

A. MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 11.

Insérer les Avis de classement suivants :

- "3305.10 2. **Shampooing** contenant 1,10 % de dépaléthrine (principe actif), 4,40 % de butoxyde de pipéronyl (synergique du principe actif), des agents tensioactifs anioniques, non ioniques et amphotères, du benzoate de sodium (conservateur), de l'acide citrique et de l'eau. Ce produit est conditionné pour la vente au détail dans des flacons en matière plastique de 125 ml, eux-mêmes emballés dans une boîte en carton. Il est indiqué, sur le flacon et sur la boîte que ce produit est un "shampooing pour le traitement des poux et des lentes du cuir chevelu" et est utilisé de la même manière que n'importe quel autre shampooing.

Application de la RGI 1, Note 1 d) du Chapitre 30 et Note 3 du Chapitre 33."

- "3305.10 3. **Shampooing** contenant 2 % de kétoconazole (agent de synthèse antimycotique à large spectre), du lauryléthersulfate de soude, du monolaurylethersulfosuccinate disodique, du diéthanolamide d'acide gras de coco, du laurdimonium collagène animal hydrolysé, du méthylglucosediolate macrogol 120, du parfum, de l'imidurée, de l'acide chlorhydrique, de l'érythrosine et de l'eau purifiée. Ce produit peut être conditionné sous différentes formes : 1) en boîtes de 6 sachets de 6 ml chacun, 2°) en boîtes de 12 sachets de 6 ml chacun ou 3°) en flacons en matière plastique de 60 ou de 100 ml. Ce produit est indiqué pour le traitement et la prophylaxie des affections dues aux levures du type *Pityrosporum*, comme le pityriasis versicolor (local), les dermatites séborrhéiques et le pityriasis capitis (pellicules). Suivant l'affection considérée, les applications peuvent varier ainsi que la durée du traitement. Ce produit est à appliquer sur le cuir chevelu et est utilisé de la même manière que n'importe quel autre shampooing.

Application de la RGI 1, Note 1 d) du Chapitre 30 et Note 3 du Chapitre 33."

Page 53.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4
"3305.10	2	NC0160F1/F/4	"Para" Application de la RGI 1 , Note 1 d) du Chapitre 30 et Note 3 du Chapitre 33
3305.10	3	NC0160F1/F/4	"Nizoral ^(m.d.) " Application de la RGI 1 , Note 1 d) du Chapitre 30 et Note 3 du Chapitre 33 "

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

CHAPITRE 33.

Page 511. N° 33.05. Alinéa 1).

Ajouter la phrase suivante à la fin de cet alinéa :

"Tous ces shampooings peuvent contenir à titre accessoire des substances pharmaceutiques ou désinfectantes, ou présenter des propriétés thérapeutiques ou prophylactiques (voir la Note 1 d) du Chapitre 30)."

* * *

A. AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 11.

Insert the following Classification Opinions :

- “3305.10** 2. **Shampoo** containing 1.10 % depallethrin (active ingredient), 4.40 % piperonyl butoxide (synergist for the active ingredient), anionic, non-ionic and amphoteric surface-active agents, sodium benzoate (preservative), citric acid and water. The product is packaged for retail sale in a 125-ml plastics bottle, which itself is packaged in a paperboard box. Both the bottle and box indicate that the product is a “shampoo for treating lice and nits on the scalp (head lice)” and that it is used in the same manner as other shampoos.

Application of GIR 1, Note 1 (d) to Chapter 30 and Note 3 to Chapter 33.”

- “3305.10** 3. **Shampoo** containing 2 % ketoconazole (a synthetic, broad-spectrum antifungal agent), sodium lauryl sulphate, disodium monolaurylether sulphosuccinate, coconut fatty acid diethanolamide, laurdimonium hydrolysed animal collagen, macrogol 120 methylglucose dioleate, perfume, imidurea, hydrochloric acid, erythrosin and purified water. The product is packaged in (i) a box with 6 sachets (6 ml shampoo per sachet), (ii) a box with 12 sachets (6 ml shampoo per sachet) or (iii) a plastics container (either 100 ml or 60 ml shampoo). The product is indicated for the treatment and prophylaxis of infections in which the yeast *Pityrosporum* is involved, such as pityriasis versicolor (localized), seborrhoeic dermatitis and pityriasis capitis (dandruff). The frequency and length of application varies according to the fungus infection being treated. The product is applied to the scalp in the same manner as other shampoos.

Application of GIR 1, Note 1 (d) to Chapter 30 and Note 3 to Chapter 33.”

Page 53.

Insert the following references :

Column 1	Column 2	Column 3	Column 4
"3305.10	2	NC0160E1/F/4	"Para" Application of GIR 1 , Note 1 (d) to Chapter 30 and Note 3 to Chapter 33
3305.10	3	NC0160E1/F/4	"Nizoral™" Application of GIR 1 , Note 1 (d) to Chapter 30 and Note 3 to Chapter 33 "

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

CHAPTER 33.

Page 511. Heading 33.05. Item (1).

Add the following sentence at the end :

"All these shampoos may contain subsidiary pharmaceutical or disinfectant constituents, even if they have therapeutic or prophylactic properties (see Note 1(d) to Chapter 30)."

* * *

Annexe K/6 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/6

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT
DECOULANT DU CLASSEMENT DANS LE N° 3808.20 DE
FONGICIDES DE LA MARQUE "KATIA"

(Voir annexe F/5 ci-dessus)

ANNEX K/6

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
ARISING FROM THE CLASSIFICATION OF "KATIA" FUNGICIDES
IN SUBHEADING 3808.20

(See Annex F/5 above)

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 12.

Insérer l'Avis de classement suivant :

"**3808.20** 1. **Préparations** conditionnées pour la vente au détail en récipients aérosols de 300 ml, contenant des agents fongicides (1,2 % en poids), du parfum, du kérosène, de l'alcool éthylique, de l'isobutane (gaz propulseur) et, pour certaines d'entre elles, du phtalate de diéthyle. Elles sont utilisées notamment dans les hôpitaux, les salles d'opération, les bureaux, les écoles et les chambres de malades pour prévenir la propagation des maladies à champignons pathogènes."

Page 55.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4	Colonne 5
" 3808.20	1	NC0160F1/F/5	Katia Sandal	
			Undécylamide DEA ("10-undécénoïque poly(bis(2-hydroxyéthyl)amide)")	1,00
			2,4,4'-Trichloro-2'-hydroxydiphényl éther (triclosan)	0,20
			Parfum	0,75
			Phtalate de diéthyle	0,25
			Kérosène	8,00
			Alcool éthylique	14,85
			Isobutane	74,95
			Katia Roses	
			Undécylamide DEA ("10-undécénoïque poly(bis(2-hydroxyéthyl)amide)")	1,00
			2,4,4'-Trichloro-2'-hydroxydiphényl éther (triclosan)	0,20
			Parfum	0,80
			Phtalate de diéthyle	0,20
			Kérosène	8,00
			Alcool éthylique	14,85
			Isobutane	74,95

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 12.

Insert the following Classification Opinion :

"3808.20 1. **Preparations** put up for retail sale in 300-ml aerosol containers, containing anti-fungal agents (1.2 % by weight), perfume, kerosene, ethyl alcohol and isobutane (propellant) and, in some preparations, diethyl phthalate. Used in hospitals, surgical theatres, offices, schools, sick-rooms, etc., to safeguard against the propagation of fungi."

Page 55.

Insert the following references :

Column 1	Column 2	Column 3	Column 4	Column 5
"3808.20	1	NC0160E1/F/5	Katia Sandal	
			Undecylenamide DEA ("10-undecenoic poly(bis(2-hydroxyethyl)amide)")	1.00
			2,4,4'-Trichloro-2'-hydroxydiphenyl ether (triclosan)	0.20
			Perfume	0.75
			Diethyl phthalate	0.25
			Kerosene	8.00
			Ethyl alcohol	14.85
			Isobutane	74.95
			Katia Roses	
			Undecylenamide DEA ("10-undecenoic poly(bis(2-hydroxyethyl)amide)")	1.00
			2,4,4'-Trichloro-2'-hydroxydiphenyl ether (triclosan)	0.20
			Perfume	0.80
			Diethyl phthalate	0.20
			Kerosene	8.00
			Ethyl alcohol	14.85
			Isobutane	74.95

Katia Jasmin

Undécylamide DEA ("10-undécénoïque poly(bis(2-hydroxyéthyl)amide)")	1,00
2,4,4'-Trichloro-2'-hydroxydiphenyl éther (triclosan)	0,20
Parfum	1,00
Kérosène	8,00
Alcool éthylique	14,85
Isobutane	74,95"

* * *

Katia Jasmin

Undecylenamide DEA ("10-undecenoic poly(bis(2-hydroxyethyl)amide)")	1.00
2,4,4'-Trichloro-2'-hydroxydiphenyl ether (triclosan)	0.20
Perfume	1.00
Kerosene	8.00
Ethyl alcohol	14.85
Isobutane	74.95"

* * *

Annexe K/7 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/7

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT
ET DES NOTES EXPLICATIVES DECOULANT DU CLASSEMENT
DANS LE N° 3924.90 DE CERTAINES BOUTEILLES EN MATIERE
PLASTIQUE DE CONCEPTION SPECIALE

(Voir l'annexe F/6 ci-dessus)

ANNEX K/7

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
AND EXPLANATORY NOTES ARISING FROM THE CLASSIFICATION OF CERTAIN
SPECIALLY DESIGNED PLASTICS BOTTLES IN SUBHEADING 3924.90

(See Annex F/6 above)

A. MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 14.

Insérer l'Avis de classement suivant :

"3924.90 1. **Article en matières plastiques** constitué de deux bouteilles munies d'un bouchon à vis, de gobelets à visser sur le dessus des bouteilles, de tubes ou pailles souples et d'un anneau, destiné à maintenir les deux bouteilles ensemble, et muni d'une bandoulière. Cet article est destiné à être utilisé pour emporter des boissons."

Page 55c.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3
"3924.90	1	NC0160F1/F/6"

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o o

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

CHAPITRE 39.

Page 621. N° 39.24. Alinéa C). Deuxième ligne.

Texte anglais seulement.

* * *

A. AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 14.

Insert the following Classification Opinion :

“3924.90 1. **Article of plastics** consisting of two bottles, fitted with screw-top closures, detachable drinking cups which can be screwed on, flexible tubes or straws and a carrying ring fitted with a strap and designed to keep the two bottles together. The article is intended to carry beverages.”

Page 55c.

Insert the following references :

Column 1	Column 2	Column 3
“3924.90	1	NC0160E1/F/6”

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o o

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

CHAPTER 39.

Page 621. Heading 39.24. Item (C). Second line.

Delete “luncheon boxes” and substitute “food storage containers”.

* * *

Annexe K/8 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/8

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT
ET DES NOTES EXPLICATIVES DECOULANT DU CLASSEMENT
DANS LE N° 3824.90 DE CERTAINS CHAUFFE-MAINS ET CHAUFFE-PIEDS

(Voir l'annexe F/7 ci-dessus)

ANNEX K/8

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
AND EXPLANATORY NOTES ARISING FROM THE CLASSIFICATION
OF CERTAIN HAND AND FOOT WARMERS IN SUBHEADING 3824.90

(See Annex F/7 above)

A. MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 13a.

Insérer l'Avis de classement suivant :

"3824.90 11. Chauffe-mains ou chauffe-pieds jetables, constitués par un sachet, conditionné sous emballage hermétique, en nontissé poreux revêtu de matières plastiques, contenant principalement de la poudre de fer, un catalyseur d'oxydation, un promoteur d'oxydation et des absorbeurs d'humidité. Au contact de l'air ambiant, après avoir enlevé l'emballage extérieur, la poudre de fer subit une oxydation régulière au cours d'une réaction qui produit de la chaleur (réaction exothermique), pendant une période d'une durée de 5 à 7 heures. Ces articles sont destinés à réchauffer les mains ou les pieds au cours d'activités effectuées par temps froid.

Application de la RGI 1."

Page 55b.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3
"3824.90	11	NC0160F1/F/7"

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A. AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 13a.

Insert the following Classification Opinion :

"3824.90 11. **Disposable hand or foot warmer**, comprising a porous, plastics-coated nonwoven sachet which contains, principally, iron powder, an oxidation catalyst, an oxidation promoter and moisture absorbents, and is packaged in an airtight wrapping. Upon contact with ambient air after removal of the exterior wrapping, the iron powder is steadily oxidised in a reaction which generates heat (exothermic reaction) over a period of 5 to 7 hours, for warming the hands or feet during cold-weather activities.

Application of GIR 1."

Page 55b.

Insert the following references :

Column 1	Column 2	Column 3
"3824.90	11	NC0160E1/F/7"

o

o o

B. MODIFICATIONS DES NOTES EXPLICATIVES

A EFFECTUER PAR VOIE DE CORRIGENDUM

CHAPITRE 36.

Page 544. N° 36.06. Alinéa C).

Insérer l'exclusion suivante à la fin de l'alinéa :

“Toutefois, la présente position **ne couvre pas** les chauffe-mains ou les chauffe-pieds jetables qui produisent de la chaleur par réaction exothermique sans accompagnement de lumière ou de flamme (par oxydation de la poudre de fer grâce à un catalyseur d'oxydation, par exemple) (n° **38.24**).”

* * *

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

CHAPTER 36.

Page 544. Heading 36.06. Item (C).

Insert the following exclusion at the end of the item :

“However this heading **does not cover** disposable hand or foot warmers which generate heat by an exothermic reaction that does not produce light or a flame (e.g., by oxidation of iron powder through an oxidation catalyst) (**heading 38.24**).”

* * *

Annexe K/9 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/9

MODIFICATIONS DES NOTES EXPLICATIVES DECOULANT
DU CLASSEMENT DES MONNAIES

(Voir annexe F/8 ci-dessus)

ANNEX K/9

AMENDMENTS TO THE EXPLANATORY NOTES ARISING FROM
THE CLASSIFICATION OF COINS

(See Annex F/8 above)

MODIFICATIONS DES NOTES EXPLICATIVES
A EFFECTUER PAR VOIE DE CORRIGENDUM

CHAPITRE 71.

Page 1053. N° 71.18.

a) Libellé.

Ajouter "(+)" à la fin du libellé.

b) Exclusions.

Après les exclusions supprimer " * " et remplacer par " ° ° ".
* * ° °

c) Nouvelle Note explicative de sous-position.

Insérer la nouvelle Note explicative de sous-position suivante :

"Note explicative de sous-position.

N° 7118.10.

La présente sous-position comprend :

1. Les monnaies qui avaient cours légal, mais qui ont entre-temps été démonétisées.
2. Les monnaies frappées dans un pays en vue d'être mises en circulation dans un autre pays; au moment de leur passage à la frontière, elles n'ont pas encore été émises en tant que monnaies ayant cours légal par les autorités compétentes.

*

* *"

* * *

AMENDMENTS TO THE EXPLANATORY NOTES
TO BE MADE BY CORRIGENDUM

CHAPTER 71.

Page 1053. Heading text 71.18.

(a) Heading text.

Insert "(+)" at the end of the heading text.

(b) Exclusions.

After the exclusions, delete " * " and substitute " ° " .
* * ° °

(c) New Subheading Explanatory Note.

Insert the following new Subheading Explanatory Note :

"Subheading Explanatory Note.

Subheading 7118.10.

This subheading includes :

1. Coins which were legal tender but have been withdrawn from circulation.
2. Coins struck in one country to be put into circulation in another country; at the time of crossing the frontier, they are not yet issued as legal tender by the competent authority.

*

* *"

* * *

Annexe K/10 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/10

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT
ET DES NOTES EXPLICATIVES DECOULANT DU CLASSEMENT
DES COUVERCLES EN ALUMINIUM POUR BOITES DE CONSERVE

(Voir annexe F/9 ci-dessus)

ANNEX K/10

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
AND TO THE EXPLANATORY NOTES ARISING FROM THE CLASSIFICATION
OF ALUMINIUM TOPS FOR DRINK OR FOOD CANS

(See Annex F/9 above)

A. MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 30.

Insérer l'Avis de classement suivant :

"8309.90 1. Couverts en aluminium pour boîtes pour boissons ou pour denrées alimentaires de dimensions diverses et de formes différentes (circulaire, ovale, rectangulaire à angles arrondis) , comportant un rebord en vue d'un sertissage à demeure des couvercles sur des boîtes, et dont la face qui formera l'intérieur est recouverte d'un vernis de protection convenant aux boissons et aux aliments. Ces couvercles comportent en outre une incision sous forme de languette, à l'extrémité de laquelle est fixé un anneau, permettant l'ouverture aisée de la boîte suivant la partie incisée."

Page 63.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3
"8309.90	1	NC0160F1/F/9"

o

o o

B. MODIFICATIONS DES NOTES EXPLICATIVES

A EFFECTUER PAR VOIE DE CORRIGENDUM

Page 1220. N° 83.09. Nouvel alinéa 10).

Insérer le nouvel alinéa 10) suivant :

"10) Couverts comportant une incision sous forme de languette avec un anneau tracteur, en métal commun, utilisés, par exemple, pour les boîtes pour boissons ou pour denrées alimentaires."

* * *

A. AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 30.

Insert the following Opinion :

"**8309.90** 1. **Aluminium tops** of different shapes (round, oval, rectangular with rounded corners, etc.) and different sizes for drink or food cans; the tops have a raised edge for permanently crimping onto the top of a can, and the bottom surface is coated with a protective varnish suitable for contact with drink or foodstuffs. The tops also incorporate an incised flap to which a ring is attached at one end, making it easy to open the can along the incised flap."

Page 63.

Insert the following references :

Column 1	Column 2	Column 3
" 8309.90	1	NC0160E1/F/9"

°
° °

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

Page 1220. Heading 83.09. New Item (10).

Insert the following new Item (10) :

"(10) Tops with an incised flap and a ring pull, made of base metal, used, for example, for drink or food cans."

* * *

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/11

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

DECOULANT DU CLASSEMENT DANS LE N° 8473.30

D'UN MICROPROCESSEUR

(Voir annexe F/10 ci-dessus)

ANNEX K/11

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

ARISING FROM THE CLASSIFICATION OF A MICROPROCESSOR

IN SUBHEADING 8473.30

(See Annex F/10 above)

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 35.

Insérer l'Avis de classement ci-après :

- "8473.30** 2. **Microprocesseur**, logé dans une cartouche rectangulaire du type "Single edge contact". Cette cartouche a une longueur de 14 cm, une largeur de 6 cm et une épaisseur de 1,5 cm. A l'intérieur de la cartouche se trouve un substrat unique en verre (une carte de circuit imprimé à 6 couches). Les sous-composants sont montés à la surface de ce substrat. Ces sous-composants sont notamment trois circuits intégrés, à savoir la puce à circuit intégré du processeur de la mémoire centrale, quatre mémoires cache (antémémoire) L2 (niveau 2) et un contrôleur d'antémémoire NL2 (RAM à descripteurs). En outre, ce produit comporte des composants passifs (blocs de résistances/condensateurs). La puce du processeur de la mémoire centrale est un élément arithmétique et logique; l'antémémoire L2 est un petit bloc de mémoire temporaire ultra-rapide et la RAM à descripteurs est le contrôleur d'antémémoire ou puce logique. La RAM à descripteurs accède à la mémoire cache L2 et y repère les renseignements nécessaires. La cartouche est raccordée à une unité de traitement automatique de l'information (une carte mère) par un connecteur par enfichage. Les interconnexions ou circuits que l'on trouve sur le substrat n'ont pas été obtenus par la technologie à couche mince ou épaisse, mais par impression et gravure d'une feuille de cuivre."

Page 64a.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4
"8473.30	2	NC0160F1/F/10	"Pentium ® II"

* * *

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 35.

Insert the following Classification Opinion :

- "8473.30** 2. **Microprocessor**, packaged in a single edge contact rectangular cartridge. The size of this cartridge is 14 cm in length, 6 cm in width and 1.5 cm in thickness. Within this cartridge there is a single glass substrate (6-layer printed circuit board). Sub-components are surface-mounted onto this substrate. These sub-components include three integrated circuits; namely, the core processor integrated circuit chip, four L2 (level 2) cache memory chips and an NL2 cache controller (Tag RAM). In addition, there are passive components (resistor packs/capacitors). The core processor chip is the arithmetical and logical element; the L2 cache memory is a small, ultra-fast block of temporary memory; and the Tag RAM is the cache controller or logic chip. The Tag RAM accesses the L2 cache and finds where the necessary information is stored. The cartridge connects to an automatic data processing unit (a motherboard) via a single edge connector. The interconnections or circuits on the substrate have not been obtained by the use of thin or thick film technology, but by printing and etching copper foil."

Page 64a.

Insert the following references :

Column 1	Column 2	Column 3	Column 4
"8473.30	2	NC0160E1/F/10	"Pentium ® II"

* * *

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/12

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT
DECOULANT DU CLASSEMENT DANS LE N° 8421.29
D'UN DIALYSEUR ET D'UN FILTRE POUR PLAQUETTES SANGUINES
(Voir annexe F/11 ci-dessus)

ANNEX K/12

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
ARISING FROM THE CLASSIFICATION OF
A "DIALYSER" AND A "MICROBARRIER" IN SUBHEADING 8421.29
(See Annex F/11 above)

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 32.

Insérer les Avis de classement ci-après :

- "8421.29** 1. **Hémodialyseur à usage unique**, stérilisé. Il se présente sous la forme d'un tube de 25 cm de long, en matière plastique rigide, contenant des fibres creuses, obturé aux deux extrémités par des bouchons filetés et muni de deux embouts latéraux de 3 cm . Les bouchons et les embouts sont également en matière plastique rigide. Afin de fonctionner, l'article doit être raccordé à l'aide de tubes à un appareil spécial (un rein artificiel, par exemple) qui permet au sang et au dialysat de circuler, et à la matière toxique d'être évacuée.

Application de la Note 2 a) du Chapitre 90.

- 8421.29** 2. **Appareil destiné à filtrer le sang** constitué essentiellement d'une toile filtrante en polyester placée dans une enveloppe transparente. Cet appareil est utilisé pour éliminer du sang entreposé les microagrégats constitués de leucocytes, de plaquettes, de fragments de cellules et de protéines dont les dimensions vont de 30 à 200 microns.

Application de la RGI 1."

Page 63.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4
"8421.29	1	NC0160F1/F/11	"Renak A" et "Renak E"
8421.29	2	NC0160F1/F/11	"Microbarrier"

* * *

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 32.

Insert the following Classification Opinions :

- "8421.29 1. **Disposable sterilised dialyzer** consisting of a 25 cm long cylindrical casing, of rigid plastics, containing hollow fibres; the casing has stoppers with threaded fittings at both ends and two 3 cm tubes extending from the casing; the stoppers and tubes are also made of rigid plastics. In order to function, the article is connected, by means of tubes, to a special appliance (e.g., an artificial kidney) which enables the blood and the dialysate to circulate and toxic matter to be evacuated.

Application of Note 2 (a) to Chapter 90

- 8421.29 2. **Apparatus for filtering blood** consisting essentially of a filtration mesh of polyester in a transparent housing. The apparatus is used to remove microaggregates consisting of leukocytes, platelets, cell fragments and proteins, in sizes ranging from 30 to 200µm, from stored blood.

Application of GIR 1."

Page 63.

Insert the following references :

Column 1	Column 2	Column 3	Column 4
"8421.29	1	NC0160E1/F/11	"Renak A" and "Renak E"
8421.29	2	NC0160E1/F/11	"Microbarrier"

* * *

Annexe K/13 au Doc. NC0160B2
Annex to

(CSH/24/oct.99)
(HSC/24/Oct.99)

ANNEXE K/13

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT DECOULANT DU
CLASSEMENT D'UN VEHICULE DENOMME "JUMICAR"

DANS LE N° 95.01

(Voir annexe F/12 ci-dessus)

ANNEX K/13

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
ARISING FROM THE CLASSIFICATION OF "JUMICAR" VEHICLES

IN HEADING 95.01

(See Annex F/12 above)

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 45.

Insérer l'Avis de classement suivant :

“9501.00 1. **Mini-véhicules** munis d'une carrosserie en polyéthylène haute densité fixée sur un châssis en tubes, et équipés d'un ou deux sièges. Ils sont propulsés mécaniquement par un moteur à piston alternatif à quatre temps, la transmission étant du type à variation continue. Ils sont équipés d'un frein sur l'essieu arrière ou d'un frein à disque hydraulique. Une chaîne de transmission entraîne une ou les deux roues arrière du véhicule qui peut transporter jusqu'à 200 kg de charge et atteindre une vitesse maximale d'environ 20 km/h.

Ces véhicules sont conçus pour être utilisés par les enfants et les jeunes gens pour apprendre le code de la route et la conduite, tout en s'amusant. Ils sont utilisés sous surveillance dans des lieux spécialement conçus pour effectuer des exercices en relation avec la circulation routière.”

Page 69.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4
“9501.00	1	NC0160F1/F/12	“JUMICAR” (Junior Mini Car)

Les dimensions et le poids de ces véhicules sont les suivants :

	<u>Jeep</u>	<u>Sport</u>	<u>Racing</u>
Longueur (cm)	190	205	210
Largeur (cm)	109	100	112
Poids (kg)	93	55	55”

* * *

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 45.

Insert the following Classification Opinion :

“9501.00 1. **Mini-vehicles** with a one- or two-seat body of high-density polyethylene on a tube-type chassis. The vehicles are mechanically propelled by means of a four-stroke reciprocating piston engine and a continuously variable transmission. They incorporate a brake for the rear axle or a hydraulic disc brake and have a chain rear drive on one or both rear wheels. The maximum payload is 200 kg and the top speed is about 20 km/h.

The vehicles are designed to be used by children and young people to learn the highway code and to acquire driving skills, while having fun. They are used under supervision at locations specially designed for road-traffic exercises.”

Page 69.

Insert the following references :

Column 1	Column 2	Column 3	Column 4																
“9501.00	1	NC0160E1/F/12	“JUMICAR” (Junior Mini Car)																
			The dimensions and weight of the vehicles are as follows :																
			<table border="0"> <tr> <td></td> <td style="text-align: center;"><u>Jeep</u></td> <td style="text-align: center;"><u>Sport</u></td> <td style="text-align: center;"><u>Racing</u></td> </tr> <tr> <td style="text-align: left;">Length (cm)</td> <td style="text-align: center;">190</td> <td style="text-align: center;">205</td> <td style="text-align: center;">210</td> </tr> <tr> <td style="text-align: left;">Width (cm)</td> <td style="text-align: center;">109</td> <td style="text-align: center;">100</td> <td style="text-align: center;">112</td> </tr> <tr> <td style="text-align: left;">Weight (kg)</td> <td style="text-align: center;">93</td> <td style="text-align: center;">55</td> <td style="text-align: center;">55”</td> </tr> </table>		<u>Jeep</u>	<u>Sport</u>	<u>Racing</u>	Length (cm)	190	205	210	Width (cm)	109	100	112	Weight (kg)	93	55	55”
	<u>Jeep</u>	<u>Sport</u>	<u>Racing</u>																
Length (cm)	190	205	210																
Width (cm)	109	100	112																
Weight (kg)	93	55	55”																

* * *

Annexe K/14 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/14

MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT
ET DES NOTES EXPLICATIVES DECOULANT DU CLASSEMENT DANS LE N° 8428.90
D'UN "BRAS DE CHARGEMENT PORTUAIRE POUR LES INSTALLATIONS
PETROLIERES"

(Voir annexe F/13 ci-dessus)

ANNEX K/14

AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS
AND EXPLANATORY NOTES ARISING FROM THE CLASSIFICATION OF A "MARINE
LOADING ARM" IN SUBHEADING 8428.90

(See Annex F/13 above)

A. MODIFICATIONS DU RECUEIL DES AVIS DE CLASSEMENT

Page 33a.

Insérer l'Avis de classement ci-après :

- "8428.90 2. **Bras de chargement portuaire** pour le transvasement sécuritaire des liquides dangereux lors des opérations de chargement ou de déchargement dans les ports, particulièrement dans les installations pétrolières et industrielles, fonctionnant avec un système de tuyauterie avec raccords articulés équipés de vannes à sécurité automatique. La tuyauterie est mue par un dispositif intégré de câbles et de poulies associés à une structure d'appui et des contrepoids. Le système ne comporte pas de pompe.

Application de la RGI 1."

Page 64.

Insérer les références suivantes :

Colonne 1	Colonne 2	Colonne 3	Colonne 4
"8428.90	2	NC0160F1/F/13	"FMC Chiksan@"

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B. MODIFICATIONS DES NOTES EXPLICATIVES

A EFFECTUER PAR VOIE DE CORRIGENDUM

Page 1296. N° 84.28. Premier paragraphe. Sixième ligne.

Nouvelle rédaction :

"appareils similaires pour personnes. La portée de la présente position n'est pas limitée aux machines et appareils de levage ou de manutention pour matières solides. Cette position couvre également les machines et appareils de l'espèce pour liquides ou gaz. Toutefois, elle **ne comprend pas** les élévateurs à liquides du".

* * *

A. AMENDMENTS TO THE COMPENDIUM OF CLASSIFICATION OPINIONS

Page 33a.

Insert the following Classification Opinion :

"**8428.90** 2. **Marine loading arm** for the safe transfer of dangerous liquids in loading or unloading operations at a port, especially for petroleum installations and industrial plant, using a piping system with articulated joints fitted with automatic safety valves. The piping is manipulated during liquid transfer by a self-contained cable and pulley system linked to a support and counterweight structure. The system does not include any pumps.

Application of GIR 1."

Page 64.

Insert the following references :

Column 1	Column 2	Column 3	Column 4
" 8428.90	2	NC0160E1/F/13	" FMC Chiksan® "

o

o o

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

Page 1296. Heading 84.28. First paragraph. New third sentence.

Insert the following new third sentence :

"This heading is not limited to lifting or handling equipment for solid materials but also includes such machinery for liquids or gases."

* * *

Annexe K/15 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/15

MODIFICATIONS DES NOTES EXPLICATIVES DU N° 85.24

(Voir annexe H/5 ci-dessus)

ANNEX K/15

AMENDMENTS TO THE EXPLANATORY NOTE TO HEADING 85.24

(See Annex H/5 above)

MODIFICATIONS DES NOTES EXPLICATIVES
A EFFECTUER PAR VOIE DE CORRIGENDUM

CHAPITRE 85.

Page 1487. N° 85.24.

1. Premier paragraphe. Alinéa 8).

Nouvelle rédaction :

“8) Les **supports** sur lesquels ont été enregistrés des instructions, des données, du son ou de l'image (bandes magnétiques, chargeurs de disques magnétiques, disquettes et cassettes pour les machines des n°s 84.69 à 84.72, par exemple).”

2. Notes explicatives de sous-positions des n°s 8524.39 et 8524.99.

Remplacer l'expression “ensembles d'instructions, de données, du son ou d'images” par “du son ou d'images en plus des ensembles d'instructions ou de données” (deux fois).

* * *

AMENDMENTS TO THE EXPLANATORY NOTES
TO BE MADE BY CORRIGENDUM

CHAPTER 85.

Page 1487. Heading 85.24.

1. First paragraph. Item (8).

Delete and substitute :

“(8) **Media** on which instructions, data, sound or images have been recorded (e.g., magnetic tapes, disc packs, diskettes and cassettes for machines of headings 84.69 to 84.72).”

2. Subheading Explanatory Notes to subheadings 8524.39 and 8524.99.

Delete “representations of instructions, data, sound or image” and substitute “representations of sound or images in addition to instructions and data” (twice).

* * *

Annexe K/16 au Doc. NC0160B2
Annex to

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE K/16

AMENDEMENTS DES NOTES EXPLICATIVES

DU N° 84.21

(Voir annexe H/21 ci-dessus)

ANNEX K/16

AMENDMENTS TO THE EXPLANATORY NOTE

TO HEADING 84.21

(See Annex H/21 above)

MODIFICATION DES NOTES EXPLICATIVES
A EFFECTUER PAR VOIE DE CORRIGENDUM

Page 1280. N° 84.21. Partie II-A 1). Cinquième ligne.

Remplacer “entièrement” par “principalement”.

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AMENDMENT TO THE EXPLANATORY NOTES
TO BE MADE BY CORRIGENDUM

Page 1280. Heading 84.21. Part II (A) (1).

French text only.

* * *

REPORT OF THE INFORMAL WORKING GROUP
ON THE BINDING STATUS OF THE HSC DECISIONS

1. An Informal Working Group meeting was held in Brussels on 7 and 8 October 1999 under the Chairmanship of Mr. Ahmad (Pakistan). Seventeen Administrations participated in the Working Group (the list of Members represented is reproduced at the end of this Annex). Dr. Leonid Lozbenko, Deputy Secretary General of the WCO, attended the 7 October Session of the Working Group.
2. It was first recalled that at its 23rd Session, the Harmonized System Committee felt that although it had agreed to draft a Protocol to make HSC decisions binding, sufficient discussion had not taken place on this complex matter. It was proposed that this Working Group be held to study this complex issue in depth before any action was taken.
3. The Director of Tariff and Trade Affairs, made introductory remarks with regard to the issue of binding HSC decisions. He thanked the 10 administrations and the International Chamber of Commerce which had submitted written comments, as set out in Docs. NC0100E1, NC0152E1 and NC0156E1. He requested the Working Group to take these into account during its discussions.
4. At the proposal of the Director, the Working Group held preliminary discussions on the following three threshold questions :
 1. What are we trying to achieve in making the decisions of the Committee binding ?
 2. How can we better ensure the uniform application of the Committee's classification decisions ?
 3. How can we ensure greater transparency with regard to the implementation of HSC classification decisions ?
5. The Group agreed that these questions merited detailed study given the various issues involved. Some participants suggested that the Council should be asked for a mandate to study the possible establishment of a mechanism to make some of the HSC's decisions binding, in particular, decisions which were the subject of disputes between Contracting Parties. Those participants indicated that this could be achieved through amendment of the HS Convention or a Protocol. It was stated that non-application of HSC decisions existed and the importance of transparency in the implementation of HSC decisions was stressed. Any Contracting Party should inform the HSC if it did not implement an HSC decision.
6. Others, however, questioned whether there were a tremendous number of problems regarding implementation of HSC decisions by Contracting Parties which required significant changes to the HS Convention. It was pointed out that, given the lack of statistics and information with regard to non-application of HSC decisions by Contracting Parties, it would be premature to consider any initiative before the extent and scope of the problem became known. The HS Convention contained positive provisions for the application of HSC decisions, reservations and amendment of the Nomenclature and that, instead of talking

about making HSC decisions binding, the focus should be on how to make the HSC decision-making process faster and more responsive to administrations and the trade.

7. National experiences were exchanged on how to deal with court cases which contradicted HSC decisions and whether an HSC classification decision should be applied to the specific article examined or to similar articles as well. It was confirmed by several participants that, under the current situation, national court decisions took precedence in these countries over HSC decisions and it was felt that a new mechanism had to be studied in the future if, at least, some of the HSC decisions were to be made legally binding at international level. Several participants also indicated that, in practice, their administrations did apply HSC decisions to similar articles.
8. In relation to the uniform application of HSC decisions, the Working Group exchanged views on improving the working methods of the HSC with a view to arriving at more timely decisions. It was stressed that Member administrations needed to provide timely and quality information and the Secretariat needed to respond more quickly to the needs of administrations and trade.
9. In this connection, it was pointed out that in the daily operation of Customs and the trade regarding HS classification, straightforward classification advice was required such as references to practical sources of information rather than advice concerning the application of the Interpretative Rules. It was also pointed out that the classification discrepancies which existed among countries in the high-tech area, were partly due to obsolete provisions of relevant legal texts and the Explanatory Notes.
10. The Working Group stressed the importance of transparency in implementing HSC decisions. In this connection, the suggestion was made to publicize the situation regarding the implementation or non-implementation of HSC decisions on the WCO Web site as one possible way of improving transparency in the future.
11. Most participants were in favour of a proposal to examine the possibility of a Council Recommendation requesting Contracting Parties to the HS Convention to notify the Council whether they have implemented the HSC's decisions, although one participant felt that it was premature to do so before the nature and scope of the problem was identified. However, it was generally believed that such a Council Recommendation might assist in defining the extent and scope of the problem of non-application.
12. The Working Group concluded that the Secretariat should proceed with a study on the extent and scope of non-application of HSC decisions. The Working Group agreed that the study should not only be based on the number of HSC classification decisions not applied but also on the magnitude and economic significance involved (e.g., tariff rate, volume of trade involved, etc.). The Working Group agreed that, the following questions, in particular, should be included in the study :
 - Which HSC decisions were not applied and why ?
 - What is the volume of trade affected by this decision ?
 - What problems have administrations experienced in respect of the non-application of the HSC decisions by other administrations ?

- Whether an administration would be able or willing to notify the Council of the HSC decisions that are not applied ?
- How long it takes for an administration to implement an HSC decision ?
- Whether national courts take HSC decisions into consideration when reviewing a case on classification ?

13. The Working Group finally agreed that depending on the results of the study, the Secretariat should decide whether to call for another Working Group meeting.

Shahid Ahmad
Chairman

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List of Members represented :

AUSTRIA
CANADA
CHINA
FRANCE
JAPAN
KENYA
KOREA
MALAYSIA
NETHERLANDS

NORWAY
POLAND
RUSSIAN FEDERATION
SAUDI ARABIA
SWITZERLAND
UNITED KINGDOM
UNITED STATES
EUROPEAN COMMUNITY

* * *

(CSH/24/oct. 99)
(HSC/24/Oct. 99)

ANNEXE M

LISTE DES QUESTIONS QUI POURRAIENT
ETRE EXAMINEES A UNE SESSION ULTERIEURE

(Voir annexe IJ ci-dessus)

ANNEX M

LIST OF QUESTIONS WHICH MIGHT BE
EXAMINED AT A FUTURE SESSION

(See Annex IJ above)

LISTE DES QUESTIONS QUI POURRAIENT
ETRE EXAMINEES A UNE SESSION ULTERIEURE

Comité du système harmonisé

25ème Session

1. Projet de Recommandation en ce qui concerne les produits artisanaux (annexe D/1 au doc. NC0160F2, CSH/24 - rapport).
2. Projet de Recommandation relative à l'insertion dans les nomenclatures statistiques nationales des sous-positions destinées à faciliter l'identification et le contrôle des produits spécifiés par le Protocole relatif aux armes à feu dans le cadre de la Convention des Nations Unies contre la criminalité transnationale organisée. (annexe D/2 au doc. NC0160F2, CSH/24 - rapport).
3. Classement de divers matériels de réseau (Réserve de la CE) (annexe G/1 au doc. NC0160F2, CSH/24 – rapport).
4. Modifications des Notes explicatives découlant du classement d'une sauce pour le poulet "CHICKEN TONIGHT" dans le n° 2103.90 (annexe G/15 au doc. 42.750, CSH/22 – rapport et annexe G/4 au doc. NC0160F2, CSH/24 – rapport).
5. Classement de l'adaptateur ethernet rapide "ENW-9500-F Fast Ethernet Adapter" (Réserve de la CE) (annexe G/5 au doc. NC0160F2, CSH/24 – rapport).
6. Modifications des Notes explicatives découlant du classement de biscuits (de type gaufres) dans le 1905.30 (annexe G/8 au doc. NC0160F2, CSH/24 - rapport).
7. Remaniements à apporter éventuellement à la Nomenclature et/ou des Notes explicatives en vue de préciser le classement dans le n° 19.05 de certains produits alimentaires croustillants non sucrés (annexe G/9 au doc. NC0160F2, CSH/24 - rapport).
8. Classement de fromages frais à teneur élevée en matières grasses et création éventuelle d'une définition des fromages (annexe G/10 au doc. NC0160F2, CSH/24 - rapport).
9. Amendement éventuel des Notes explicatives du n° 84.71 concernant le classement des lecteurs y compris les machines traductrices ou interpréteuses) (annexe G/17 au doc. NC0160F2, CSH/24 – rapport).
10. Classement des unités de contrôle automatiques (annexe G/17 au doc. NC0160F2, CSH/24 – rapport).

Annexe M au doc. NC0160B2
(CSH/24/oct. 99)

11. Classement des panneaux à effleurement
(annexe G/17 au doc. NC0160F2, CSH/24 – rapport).
12. Classement des contrôleurs de jeux
(annexe G/17 au doc. NC0160F2, CSH/24 – rapport).
13. Classement des cœurs ou moteurs d'impression
(annexe G/17 au doc. NC0160F2, CSH/24 - rapport).
14. Classement des tablettes graphiques et des numériseurs
(annexe G/17 au doc. NC0160F2, CSH/24 - rapport).
15. Classement des unités de mémoire à DVD
annexe G/17 au doc. NC0160F2, CSH/24 - rapport).
16. Classement des autochargeurs et bibliothèques optiques
(annexe G/17 au doc. NC0160F2, CSH/24 - rapport).
17. Classement des dispositifs de connexions sans fil
(annexe G/17 au doc. NC0160F2, CSH/24 - rapport).
18. Classement des unités de mémoire à format spécifique
(annexe G/17 au doc. NC0160F2, CSH/24 - rapport).
19. Classement des cartes à mémoire électronique flash
(annexe G/17 au doc. NC0160F2, CSH/24 - rapport).
20. Classement des vibrateurs
(annexe E (paragraphe 13) au doc. NC0160F2, CSH/24 - rapport).
21. Classement de répéteurs utilisés dans divers matériels de réseau locaux ou dans les systèmes de lignes téléphoniques
(annexe G/18 au doc. NC0160F2, CSH/24 - rapport).
22. Classement d'un appareil dénommé "Color Quickcam" au sein du n° 85.25
(annexe G/19 au doc. NC0160F2, CSH/24 - rapport).
23. Classement d'une carte vidéo, d'une carte audio et du logiciel associé
(annexe G/20 au doc. NC0160F2, CSH/24 - rapport).
24. Etude en vue de définir les directives pour le classement des véhicules dans les n°s 87.02, 87.03 et 87.04
(annexe H/7 au doc. NC0160F2, CSH/24 - rapport).
25. Classement des véhicules automobiles "TATA SUMO 483"
(annexe H/7 (paragraphe 7) au doc. NC0160F2, CSH/24 - rapport).
26. Classement d'appareils de reproduction numérique à fonctions multiples
(annexe H/14 au doc. NC0160F2, CSH/24 - rapport).

27. Classement d'une boisson dénommée "Smirnoff Mule
(annexe H/15 au doc. NC0160F2, CSH/24 - rapport).
28. Etude sur les condenseurs dans le cadre de l'examen complémentaire du classement
d'un réfrigérateur de type compression
(annexe H/17 au doc. NC0160F2, CSH/24 - rapport).
29. Etude éventuelle concernant la portée des expressions "à usage domestique" et
"économie domestique" dans la Nomenclature et ses Notes explicatives
(annexe H/19 (paragraphe 13) au doc. NC0160F2, CSH/24 - rapport).
30. Classement de bois d'œuvre à surfaçage brut.
(annexe H/22 au doc. NC0160F2, CSH/24 - rapport).
31. Classement de pièces de bois d'œuvre "engravées"
(annexe H/23 au doc. NC0160F2, CSH/24 - rapport).
32. Classement de certains fils spéciaux en matière textile
(annexe H/24 au doc. NC0160F2, CSH/24 - rapport).
33. Modifications éventuelles des Notes explicatives en vue de préciser le classement des "cartes
intelligentes"
(annexe C (paragraphe 92) au doc. NR0072F2, SCR/20 - rapport).

AUTRES

1. Modifications des Notes explicatives découlant du classement des liquides Bio-Add
(Réserve de la Suisse)
(annexes G/7 et M/19 au doc. NC0090F2 CSH/23 - rapport).
2. Classement du tabac coupé non aromatisé (Réserve de la Suisse)
(annexe IJ/1 au doc. NC0090F2, CSH/23 - rapport).
- *3. Proposition de l'OIAC d'amender la Nomenclature relative aux produits chimiques régis par la
Convention sur les armes chimiques
(annexe E/1 (paragraphe 15) au doc. 40.600, CSH/18 - rapport).
- *4. Demande formulée par l'OACI en vue de simplifier le classement dans le Système
harmonisé des parties d'aéronefs
(annexe H/24 au doc. 40.600, CSH/18 - rapport).

* L'examen de cette question dépend des informations à communiquer par les
organisations internationales spécialisées.

Groupe de travail (CSH/25)

1. Projet de modifications des règles de procédure applicables au Comité du système harmonisé
(annexe C/4 au doc. NC0160F2, CSH/24 - rapport).
2. Modifications du Recueil des Avis de classement et des Notes explicatives découlant du classement des appareils dénommés "FIRE 1000" et "FIRE 9000" dans le n° 9006.59
(annexe G/2 au doc. NC0160F2, CSH/24 - rapport).
3. Modifications des Notes explicatives découlant du classement des limes de la variété "Citrus latifolia" dans le n° 0805.90
(annexe G/3 au doc. NC0160F2, CSH/24 - rapport).
4. Modifications du Recueil des Avis de classement découlant du classement d'une sauce pour le poulet dans le n° 2103.90
(annexe G/4 au doc. NC0160F2, CSH/24 - rapport).
5. Modifications du Recueil des Avis de classement découlant du classement de certains bois percés utilisés dans la construction dans le n° 4418.90
(annexe G/6 au doc. NC0160F2, CSH/24 - rapport).
6. Modification des Notes explicatives concernant le processus de déshydratation par osmose
(annexe G/7 au doc. NC0160F2, CSH/24 - rapport).
7. Modifications du Recueil des Avis de classement découlant du classement de biscuits (de type gaufres) dans le n° 1905.30
(annexe G/8 au doc. NC0160F2, CSH/24 - rapport).
8. Modifications des Notes explicatives découlant du classement des condensats de gaz dans le n° 27.09
(annexe G/13 au doc. NC0160F2, CSH/24 - rapport).
9. Modifications du Recueil des Avis de classement découlant du classement d'un produit particulier de la gamme "VEEGUM" dans le n° 3824.90
(annexe G/15 au doc. NC0160F2, CSH/24 - rapport).
10. Modifications du Recueil des Avis de classement découlant du classement de l'appareil dénommé "SelectSet Avantra 30" dans le n° 9006.10
(annexe G/16 (paragraphe 6) au doc. NC0160F2, CSH/24 - rapport).
11. Modifications du Recueil des Avis de classement et des Notes explicatives découlant du classement d'une imprimante à jet d'encre dénommée "Iris 3047" dans le n° 8443.51
(annexe G/16 (paragraphe 11) au doc. NC0160F2, CSH/24 - rapport).

12. Modifications des Notes explicatives du n° 84.71 en vue de supprimer certains articles obsolètes
(annexe G/17 au doc. NC0160F2, CSH/24 - rapport).
13. Modifications des Notes explicatives découlant du classement d'un matériel vidéo de surveillance en circuit fermé
(annexe G/21 au doc. NC0160F2, CSH/24 - rapport).
14. Modifications du Recueil des Avis de classement découlant du classement d'un produit stratifié dit "PolySwitch" dans le n° 7506.10
(annexe G/22 au doc. NC0160F2, CSH/24 - rapport).
15. Modifications du Recueil des Avis de classement découlant du classement d'un meuble-congélateur pour produits alimentaires dans le n° 8418.30
(annexe H/3 au doc. NC0160F2, CSH/24 - rapport).
16. Modifications du Recueil des Avis de classement découlant du classement d'un appareillage dénommé "PIX-DSX-1 Digital Cross Connect" dans le n° 8536.90
(annexe H/4 au doc. NC0160F2, CSH/24 - rapport).
17. Modifications du Recueil des Avis de classement découlant du classement des véhicules "Ssang Yong Musso 601" et "Ssang Yong Musso 602" dans le n° 8702.10
(annexe H/7 (paragraphe 6) au doc. NC0160F2, CSH/24 - rapport).
18. Modifications du Recueil des Avis de classement découlant du classement des chariots de golf à deux roues dans le n° 8716.80
(annexe H/8 au doc. NC0160F2, CSH/24 - rapport).
19. Modifications du Recueil des Avis de classement découlant du classement de pointeurs laser dans le n° 9013.20
(annexe H/9 au doc. NC0160F2, CSH/24 - rapport).
20. Modifications de la Note explicative du n° 84.19 découlant du classement de certains fours à micro-ondes dans le n° 8514.20
(annexe H/12 au doc. NC0160F2, CSH/24 - rapport).
21. Modifications du Recueil des Avis de classement découlant du classement dans le n° 8471.49 d'un appareil dénommé "Media Composer 1000" (nouvel Avis de classement et suppression de l'Avis 8543.89/4 actuel)
(annexe H/18 au doc. NC0160F2, CSH/24 - rapport).

22. Modifications du Recueil des Avis de classement découlant du classement de bains-marie non électriques, en acier inoxydable dans le n° 7323.93
(annexe H/19 au doc. NC0160F2, CSH/24 - rapport).
23. Modifications de la Note explicative du n° 73.26 découlant du classement de tuiles pour toitures en acier galvanisé dans le n° 7308.90
(annexe H/20 au doc. NC0160F2, CSH/24 - rapport).

Sous-Comité de révision

21ème Session

1. Proposition d'augmentation du seuil de création ou de suppression des sous-positions de 20 à 50 millions de \$ US
(annexe E (paragraphe 5) au doc. NC0160F2, CSH/24 - rapport).
2. Mise à jour des Notes explicatives actuelles
(annexe E (paragraphe 9) au doc. NC0160F2, CSH/24 - rapport).
3. Modifications des Notes explicatives du n° 84.67 relatives à la liste d'outils inclus dans la position
(annexe E (paragraphe 11) au doc. NC0160F2, CSH/24 - rapport).
4. Modification éventuelle des Notes explicatives en vue d'y inclure les graines, les huiles et les préparations de "canola"
(annexe C (paragraphe 7,11 et 15) au doc. NR0072F2, SCR/20 - rapport).
5. Modification des Notes explicatives du Chapitre 20 concernant le terme "Valeur Brix"
(annexe C (paragraphe 14) au doc. NR0072F2, SCR/20 - rapport).
6. Nouvelle Note explicative de sous-position du n° 27.10 relative aux déchets d'huile
(annexe C (paragraphe 23) au doc. NR0072F2, SCR/20 - rapport).
7. Modification de la Note explicative du n° 46.01
(annexe C (paragraphe 50) au doc. NR0072F2, SCR/20 - rapport).
8. Modification des Notes explicatives des n°s 48.17 et 48.23
(annexe C (paragraphe 55 et 56) au doc. NR0072F2, SCR/20 - rapport).
9. Modification des Notes explicatives du Chapitre 60
(annexe C (paragraphe 62) au doc. NR0072F2, SCR/20 - rapport).
10. Modifications des Notes explicatives du n° 85.14 en vue de préciser la signification du terme "dielectric hysteresis"
(annexe C (paragraphe 86) au doc. NR0072F2, SCR/20 - rapport).
11. Modifications des Notes explicatives du n° 85.18 relative aux haut-parleurs et microphones
(annexe C (paragraphe 88 et 89) au doc. NR0072F2, SCR/20 - rapport).
12. Modification des Notes explicatives relatives à la nouvelle Note 6 du Chapitre 85
(annexe C (paragraphe 90 et 91) au doc. NR0072F2, SCR/20 – rapport).
13. Modifications des Notes explicatives du n° 85.18 relatives aux "moniteurs destinés à écouter les bruits du fœtus"
(annexe C (paragraphe 93) au doc. NR0072F2, SCR/20 – rapport).

14. Modifications des Notes explicatives du n° 85.25 relatives aux appareils photographiques numériques
(annexe C (paragraphe 94) au doc. NR0072F2, SCR/20 - rapport)
15. Modification de la Note explicative du n° 90.21 découlant du libellé de la nouvelle Note 6 du Chapitre 90
(annexe C (paragraphe 99) au doc. NR0072F2, SCR/20 - rapport).
16. Nouvelle Note explicative de sous-position du n° 8524.34 relative aux disques vidéo numériques (DVD)
(annexe F/1 (paragraphe 34) au doc. NC0090F2, CSH/23 - rapport).

22ème Session ou ultérieurement

1. Eventuelle modification des textes légaux concernant le classement des "sauces"
(annexe G/4 au doc. NC0160F2, CSH/24 - rapport).
2. Eventuelle modification des textes légaux et des Notes explicatives du n° 84.42
(annexe G/16 au doc. NC0160F2, CSH/24 - rapport).
3. Eventuelle modification des textes légaux et des Notes explicatives du n° 84.71
(annexe G/17 au doc. NC0160F2, CSH/24 - rapport).
4. Eventuelle modification de la Note 1 c) du Chapitre 41 relative aux peaux et cuirs de chameaux
(annexe C (paragraphe 46) au doc. NR0072F2, SCR/20 - rapport).
- *5. Proposition du Canada en vue d'amender la Nomenclature et les Notes explicatives du Chapitre 54
(annexe E (paragraphe 30) au doc. 42.750, HSC/22 - rapport).
- *6. Modifications éventuelles de la Nomenclature et des Notes explicatives du n° 85.42
(annexe IJ/14 (paragraphe 6) au doc. NC0090F2, CSH/23 - rapport).

* L'examen de cette question dépend des informations ou des propositions concrètes à soumettre par les administrations.

Sous-Comité Scientifique

15ème Session

1. Modification des Notes explicatives relatives aux mélanges de damage
(annexe G/11 au doc. NC0160F2, CSH/24 - rapport).
2. Modification des Notes explicatives relatives aux engrais à base de nitrate d'ammonium
(annexe H/1 au doc. NC0160F2, CSH/24 - rapport).
3. Classement de certains produits portant une DCI et les intrants pharmaceutiques
(annexe E/1 (paragraphe 4) et annexe E/4 au doc. NC0090F2, CSH/23 - rapport).
4. Modification des Notes explicatives des sous-positions 3920.43 et 3920.49.
(annexe F/1 (paragraphe 4) au doc. NC0090F2, CSH/23 - rapport).
5. Modification des Notes explicatives du n° 29.15
(annexe C (paragraphe 27) au doc. NR0072F2, SCR/20 - rapport).
6. Modification des Notes explicatives relatives aux dénominations des polymères
(annexe C (paragraphe 38) au doc. NR0072F2, SCR/20 - rapport).
7. Modification de la Nomenclature et des Notes explicatives en vue de préciser le classement des composés de coordination
(annexe E/1 (paragraphe 3) au doc. NC0090F2, SCR/23 - rapport).
8. Modification des Notes explicatives concernant la liste des stupéfiants et des substances psychotropes
(annexe C (paragraphe 30) au doc. NR0072F2, SCR/20 - rapport).

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LIST OF QUESTIONS
WHICH MIGHT BE EXAMINED AT A FUTURE SESSION

Harmonized System Committee

25th Session

1. Draft Recommendation concerning artisanal products
(Annex D/1 to Doc. NC0160E2, HSC/24 - Report).
2. Possible Recommendation on the insertion in national statistical nomenclatures of subheadings to facilitate the monitoring and control of products specified in the Protocol concerning firearms covered by the UN Convention against transnational organized crime
(Annex D/2 to Doc. NC0160E2, HSC/24 - Report).
3. Classification of various items of networking equipment (Reservation by the EC)
(Annex G/1 to Doc. NC0160E2, HSC/24 - Report).
4. Amendments to the Explanatory Notes arising from the classification of "chicken sauce" in subheading 2103.90
(Annex G/15 to Doc. 42.750, HSC/22– Report and Annex G/4 to Doc. NC0160E1, HSC/24 - Report).
5. Classification of the "ENW-9500-F Fast Ethernet Adapter" (Reservation by the EC)
(Annex G/5 to Doc. NC0160E1, HSC/24 - Report).
6. Amendments to the Explanatory Notes arising from the classification of bakers' wares (waffles) in subheading 1905.30
(Annex G/8 to Doc. NC0160E2, HSC/24 - Report).
7. Possible amendments to the Nomenclature and/or Explanatory Notes to clarify the classification of certain crisps in heading 19.05
(Annex G/9 to Doc. NC0160E2, HSC/24 - Report).
8. Classification of "high fat cream cheese" and possible creation of a definition of cheese
(Annex G/10 to Doc. NC0160E2, HSC/24 - Report).
9. Possible amendment of the Explanatory Note to heading 84.71 with regard to "readers which decode data inscribed on cards or tape"
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
10. Classification of automatic control units
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).

11. Classification of touch panels
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
12. Classification of game controllers
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
13. Classification of print engines
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
14. Classification of graphic tablets/digitizers
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
15. Classification of DVD storage units
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
16. Classification of optical and tape autoloaders and libraries
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
17. Classification of "roamabouts"
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
18. Classification of proprietary storage formats
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
19. Classification of flash electronic storage cards
(Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
20. Classification of vibrators
(Annex E (paragraph 13) to Doc. NC0160E2, HSC/24 - Report).
21. Classification of repeaters used in LAN systems or in the telephone line system
(Annex G/18 to Doc. NC0160E2, HSC/24 - Report).
22. Classification of the "Color QuickCam" in the structured nomenclature of heading 85.25
(Annex G/19 to Doc. NC0160E2, HSC/24 - Report).
23. Classification of a video card, sound card and software therefor
(Annex G/20 to Doc. NC0160E2, HSC/24 - Report).
24. Study with a view to establishing guidelines for the classification of vehicles of headings 87.02, 87.03 and 87.04
(Annex H/7 to Doc. NC0160E2, HSC/24 - Report).
25. Classification of the "TATA SUMO 483" motor vehicles
(Annex H/7 (paragraph 7) to Doc. NC0160E2, HSC/24 - Report).
26. Classification of multifunction digital copiers
(Annex H/14 to Doc. NC0160E2, HSC/24 - Report).

27. Classification of the "Smirnoff Mule" beverage
(Annex H/15 to Doc. NC0160E2, HSC/24 - Report).
28. Classification of a compression-type refrigerator
(Annex H/17 to Doc. NC0160E2, HSC/24 - Report).
29. Study of the scope of the expressions "domestic" and "household" in the Nomenclature and the Explanatory Notes
(Annex H/19 (paragraph 13) to Doc. NC0160E2, HSC/24 - Report).
30. Classification of "Rougher headed lumber"
(Annex H/22 to Doc. NC0160E2, HSC/24 - Report).
31. Classification of "Notched lumber"
(Annex H/23 to Doc. NC0160E2, HSC/24 - Report).
32. Classification of certain special textile yarns
(Annex H/24 to Doc. NC0160E2, HSC/24 - Report).
33. Possible amendments to the Explanatory Notes to clarify the classification of "smart cards"
(Annex C (paragraph 92) to Doc. NR0072E2, RSC/20 - Report).

OTHER

1. Amendment of the Explanatory Notes arising from the classification of "Bio-ADD"
(Reservation by Switzerland)
(Annexes G/7 and M/19 to Doc. NC0090E2, HSC/23 – Report).
2. Classification of non-aromatic tobacco (Reservation by Switzerland)
(Annex IJ/1 to Doc. NC0090E2, HSC/23 – Report).
- *3. Proposal by the OPCW for amendments to the Nomenclature concerning chemicals controlled by the Chemical Weapons Convention
(Annex E/1 (paragraph 15) to Doc. 40.600, HSC/18 – Report).
- *4. Request by the ICAO for simplification of the classification of aircraft parts in the Harmonized System
(Annex H/24 to Doc. 40.600, HSC/18 – Report).

* The examination of this questions depends on information to be submitted by specialized international organisations.

Working Party (HSC/25)

1. Draft amendment of the Rules of Procedure of the Harmonized System Committee
(Annex C/4 to Doc. NC0160E2, HSC/24 - Report).
2. Amendments to the Compendium of Classification Opinions and the Explanatory Notes arising from the classification of the "FIRE 9000" and "FIRE 1000" apparatus in subheading 9006.59
(Annex G/2 to Doc. NC0160E2, HSC/24 - Report).
3. Amendment of the Explanatory Notes arising from the classification of bitter limes referred to as "Citrus latifolia" in subheading 0805.90
(Annex G/3 to Doc. NC0160E2, HSC/24 - Report).
4. Amendments to the Compendium of Classification Opinions arising from the classification of "chicken sauce" in subheading 2103.90
(Annex G/4 to Doc. NC0160E2, HSC/24 - Report).
5. Amendments to the Compendium of Classification Opinions arising from the classification of certain drilled lumber used in construction in subheading 4418.90
(Annex G/6 to Doc. NC0160E2, HSC/24 - Report).
6. Amendment of the Explanatory Notes concerning the osmotic dehydration process
(Annex G/7 to Doc. NC0160E2, HSC/24 - Report).
7. Amendments to the Compendium of Classification Opinions arising from the classification of bakers' wares (waffles) in subheading 1905.30
(Annex G/8 to Doc. NC0160E2, HSC/24 - Report).
8. Amendment of the Explanatory Notes arising from the classification of "gas condensates" in heading 27.09
(Annex G/13 to Doc. NC0160E2, HSC/24 - Report).
9. Amendments to the Compendium of Classification Opinions arising from the classification of regular "Veegum" in subheading 3824.90
(Annex G/15 to Doc. NC0160E2, HSC/24 - Report).
10. Amendments to the Compendium of Classification Opinions arising from the classification of the "SelectSet Avantra 30" in subheading 9006.10
(Annex G/16 (paragraph 6) to Doc. NC0160E2, HSC/24 - Report).
11. Amendments to the Compendium of Classification Opinions and the Explanatory Notes arising from the classification of the "Iris 3047" ink-jet printer in subheading 8443.51
(Annex G/16 (paragraph 11) to Doc. NC0160E2, HSC/24 - Report).

12. Amendment of the Explanatory Note to heading 84.71 to delete certain obsolete equipment
(Annexe G/17 to Doc. NC0160E2, HSC/24 - Report).
13. Amendment of the Explanatory Notes arising from the classification of closed circuit video equipment
(Annex G/21 to Doc. NC0160E2, HSC/24 - Report).
14. Amendments to the Compendium of Classification Opinions arising from the classification of a laminated product, called "PolySwitch", in subheading 7506.10
(Annex G/22 to Doc. NC0160E2, HSC/24 - Report).
15. Amendments to the Compendium of Classification Opinions arising from the classification of a freezer for foodstuffs in subheading 8418.30
(Annex H/3 to Doc. NC0160E2, HSC/24 - Report).
16. Amendments to the Compendium of Classification Opinions arising from the classification of the "PIX-DSX-1 Digital Cross-Connect" in subheading 8536.90
(Annex H/4 to Doc. NC0160E2, HSC/24 - Report).
17. Amendments to the Compendium of Classification Opinions arising from the classification of the vehicles "Ssang Yong Musso 601" and "Ssang Yong Musso 602" in subheading 8702.10
(Annex H/7 (paragraph 6) to Doc. NC0160E2, HSC/24 - Report).
18. Amendments to the Compendium of Classification Opinions arising from the classification of two-wheeled golf carts in subheading 8716.80
(Annex H/8 to Doc. NC0160E2, HSC/24 - Report).
19. Amendments to the Compendium of Classification Opinions arising from the classification of laser pointers in subheading 9013.20
(Annex H/9 to Doc. NC0160E2, HSC/24 - Report).
20. Amendment of the Explanatory Note to heading 84.19 arising from the classification of certain microwave ovens in subheading 8514.20
(Annex H/12 to Doc. NC0160E2, HSC/24 - Report).
21. Amendments to the Compendium of Classification Opinions arising from the classification of the "Media Composer 1000" in subheading 8471.49 (new Classification Opinion and deletion of present Classification Opinion 8543.89/4)
(Annex H/18 to Doc. NC0160E2, HSC/24 - Report).

22. Amendments to the Compendium of Classification Opinions arising from the classification of a non-electric stainless steel "Chafing Dish" ("bain-marie") in subheading 7323.93
(Annex H/19 to Doc. NC0160E2, HSC/24 - Report).
23. Amendment of the Explanatory Notes arising from the classification of galvanized steel roofing tiles in subheading 7308.90
(Annex H/20 to Doc. NC0160E2, HSC/24 - Report).

Review Sub-Committee

21st Session

1. Proposal to increase the threshold for the creation or deletion of subheadings from US\$ 20 million to US\$ 50 million
(Annex E (paragraph 5) to Doc. NC0160E2, HSC/24 - Report).
2. Updating of the current Explanatory Notes
(Annex E (paragraph 9) to Doc. NC0160E2, HSC/24 - Report).
3. Amendment of the Explanatory Note to heading 84.67 concerning the list of tools included in the heading
(Annex E (paragraph 11) to Doc. NC0160E2, HSC/24 - Report).
4. Possible amendments to the Explanatory Notes concerning canola seeds, canola oils and canola meal
(Annex C (paragraphs 7, 11 and 15) to Doc. NR0072E2, RSC/20 - Report).
5. Amendment of the Explanatory Notes to Chapter 20 regarding Brix value
(Annex C (paragraph 14) to Doc. NR0072E2, RSC/20 - Report).
6. New Subheading Explanatory Note for waste oils of heading 27.10
(Annex C (paragraph 23) to Doc. NR0072E2, RSC/20 - Report).
7. Amendment of the Explanatory Note to heading 46.01
(Annex C (paragraph 50) to Doc. NR0072E2, RSC/20 - Report).
8. Amendment of the Explanatory Notes to headings 48.17 and 48.23
(Annex C (paragraphs 55 and 56) to Doc. NR0072E2, RSC/20 - Report).
9. Amendment of the Explanatory Notes to Chapter 60
(Annex C (paragraph 62) to Doc. NR0072E2, RSC/20 - Report).
10. Amendment of the Explanatory Note to heading 85.14 to clarify the meaning of the term "dielectric hysteresis"
(Annex C (paragraph 86) to Doc. NR0072E2, RSC/20 - Report).
11. Amendment of the Explanatory Note to heading 85.18 regarding microphones and speakers
(Annex C (paragraphs 88 and 89) to Doc. NR0072E2, RSC/20 - Report).
12. Amendment of the Explanatory Notes concerning new Note 6 to Chapter 85
(Annex C (paragraphs 90 and 91) to Doc. NR0072E2, RSC/20 - Report).
13. Amendment of the Explanatory Note to heading 85.18 regarding the inclusion of "fetal monitors"
(Annex C (paragraph 93) to Doc. NR0072E2, RSC/20 - Report).

14. Amendment of the Explanatory Note to heading 85.25 regarding digital cameras (Annex C (paragraph 94) to Doc. NR0072E2, RSC/20 - Report).
15. Amendment of the Explanatory Note to heading 90.21 regarding new Note 6 to Chapter 90 (Annex C (paragraph 99) to Doc. NR0072E2, RSC/20 - Report).
16. New Subheading Explanatory Note to subheading 8524.34 regarding digital video discs (Annex F/1 (paragraph 34) to Doc. NC0090E2, HSC/23 - Report).

22nd Session or later

1. Possible amendments to the Nomenclature regarding the classification of sauces (Annex G/4 to Doc. NC0160E2, HSC/24 - Report).
2. Possible amendments to the Nomenclature and Explanatory Note to heading 84.42 (Annex G/16 to Doc. NC0160E2, HSC/24 - Report).
3. Possible amendments to the Nomenclature and Explanatory Note to heading 84.71 (Annex G/17 to Doc. NC0160E2, HSC/24 - Report).
4. Possible amendments to Note 1(c) to Chapter 41 regarding camels (Annex C (paragraph 46) to Doc. NC0072E2, RSC/20 - Report).
- *5. Proposal by Canada to amend the Nomenclature and Explanatory Note to Chapter 54 (Annex E (paragraph 30) to Doc. 42.750, HSC/22 - Report).
- *6. Possible amendments to the Nomenclature and Explanatory Note to heading 85.42 (Annex IJ/14 (paragraph 6) to Doc. NC0090E2, HSC/23 - Report).

* The examination of this question depends on information or a specific proposal to be submitted by administrations.

Scientific Sub-Committee

15th Session

1. Amendment of the Explanatory Notes concerning ramming mixes
(Annex G/11 to Doc. NC0160E2, HSC/24 - Report).
2. Amendment of the Explanatory Notes concerning ammonium nitrate fertilizers
(Annex H/1 to Doc. NC0160E2, HSC/24 - Report).
3. Classification of certain INN products and pharmaceutical intermediates
(Annex E/1 (paragraph 4) and Annex E/4 to Doc. NC0090E2, HSC/23 - Report).
4. Amendment of the Explanatory Notes concerning subheadings 3920.43 and 3920.49
(Annex F/1 (paragraph 4) to Doc. NC0090E2, HSC/23 - Report).
5. Amendment of the Explanatory Note to heading 29.15
(Annex C (paragraph 27) to Doc. NR0072E2, RSC/20 - Report).
6. Amendment of the Explanatory Notes concerning polymer names
(Annex C (paragraph 38) to Doc. NR0072E2, RSC/20 - Report).
7. Amendment of the Nomenclature and the Explanatory Notes to clarify the classification
of co-ordination compounds
(Annex E/1 (paragraph 3) to Doc. NC0090E2, HSC/23 - Report).
8. Amendment of the Explanatory Notes regarding the list of narcotic drugs and
psychotropic substances
(Annex C (paragraph 30) to Doc. NR0072E2, RSC/20 - Report).

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(HSC/24/Oct. 99)

ANNEXE N
ANNEX

LISTE DES DELEGUES

LIST OF DELEGATES

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CHAIRMAN OF THE COMMITTEE

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(Suisse/Switzerland)

VICE-PRESIDENT/VICE-CHAIRMAN

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(Maroc/Morocco)

MEMBRES/MEMBERS

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ALGERIE/ALGERIA

M. I. ABALOU

ARABIE SAOUDITE/SAUDI ARABIA

Mr. A.A. AL-HOMAIHDI
Mr. A. AL MUGHERAH
Mr. G. AL MOTEINY

AUSTRALIE/AUSTRALIA

Mr. B. THOMAS
Mr. M. EDWARDS
Mr. L. TAYLOR

AUTRICHE/AUSTRIA

Mr. G. MAYR

BANGLADESH

Mr. A.H. MANZOOR MANNAN

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Mrs. Y. SOLOMATINA

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M. R. DESSEYN

BRESIL/BRAZIL

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M. H.S. CHAVES

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CANADA

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Mr. R. McKENZIE
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Mr. L.Z. LIN
Mr. X.Y. SONG

CHYPRE/CYPRUS

Mr. Y. ASIMAKIS

CONGO (Rép. Dém du/Dem. Rep. of)

M. R. LUANYI TSHITENGE

COREE (Rép. de)/KOREA (Rep. of)

Mr. S.J. IM

(CSH/24/oct. 99)
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M. K. MALAN

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Mr. J. TOMAŠIĆ

DANEMARK/DENMARK

Mr. J. HINDSDAL

EGYPTE/EGYPT

Mr. M.M. EL HOUSSAINY

ESPAGNE/SPAIN

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INDONESIE/INDONESIA

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JAMAHIRIYA ARABE LIBYENNE/LIBYAN ARAB JAMAHIRIYA

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Mr. A.E.H. ADEM

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(CSH/24/oct. 99)
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ROUMANIE/ROMANIA

M. E. DRAGNEA
Mme. C. GHITA
M. C. RUSU

ROYAUME-UNI/UNITED KINGDOM

Mr. S. GAIKWAD
Mr. F. VAREY

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Mr. J. MELNIKOV

(CSH/24/oct. 99)
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SLOVAQUIE/SLOVAKIA

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SUISSE/SWITZERLAND

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REPUBLIQUE TCHEQUE/CZECH REPUBLIC

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Mr. P. AKRES
Mr. U. RATTANAWONGNARA

TUNISIE/TUNISIA

Melle M. SAÏDI

TURQUIE/TURKEY

Mrs. R. ERDAYANDI

VIETNAM

M. D.T. VIET

COMMUNAUTE EUROPEENNE/EUROPEAN COMMUNITY

M. A. ALARCON CAÑONES

°
° °

(CSH/24/oct. 99)
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OBSERVATEURS/OBSERVERS

GHANA

Mr. F.-A. BOAKYE
Mr. E. ENOS

UKRAINE

M. O. KOVAL

°
° °

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Mr. D. DAVIES

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Mrs. M.M. SALA

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Mr. R.W. USCHYK

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COMMUNAUTE ECONOMIQUE DES ETATS DE L'AFRIQUE DE L'OUEST
(CEDEAO)/ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)

M. ABDOU ALI

DIVISION DES STATISTIQUES DES NATIONS UNIES/UNITED NATIONS STATISTICS
DIVISION

Ms. A. CIVITELLO

ORGANISATION MONDIALE DU COMMERCE (OMC)/WORLD TRADE ORGANIZATION (WTO)

Ms. R. MAVROIDIS

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SECRETARIAT

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Directeur/Director

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Directeur adjoint/Deputy Director

Mr. T. NAGASE

Administrateur technique principal (Cadre)/Senior Technical Officer (Supervisor)

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Senior Technical Officer/Administrateur technique principal

Mr. S. KOÇAS

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Mr. L. CALLAGHAN

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M. J. JOHANNES

Mr. LIU PING

M. G. VESSAH

Mr. I. WIND

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Mr. M.H. LEE

Interprètes/Interpreters

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M. G. GILLOT

Mme P. MANIN