



HARMONIZED SYSTEM
COMMITTEE
-
29th Session
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NC0547E1
(+ Annex)

O. Fr.

Brussels, 3 April 2002.

POSSIBLE AMENDMENTS TO THE EXPLANATORY NOTES TO CLARIFY
THE CLASSIFICATION OF CERTAIN ELECTRONIC MEMORY MODULES
(SIMMs AND DIMMs)
(Item VIII.11 on Agenda)

Reference documents :

NC0402E1 (HSC/27)
NC0430E2, Annex IJ/4 (HSC/27 - Report)

NC0477E1 (HSC/28)
NC0510E2, Annex G/15 (HSC/28 - Report)

I. BACKGROUND

1. At its 28th Session, in November 2001, having examined the classification of certain electronic memory modules, the Committee decided that, by application of Note 2 to Section XVI :
 - (a) SIMMs and DIMMs suitable for use principally or solely with automatic data processing machines were to be classified in heading 84.73 as parts of ADP machines,
 - (b) SIMMs and DIMMs suitable for use principally or solely with other specific kinds of machines or with a number of machines of the same heading were to be classified as parts of those machines or groups of machines, and
 - (c) where it was not possible to determine principal use, SIMMs and DIMMs were to be classified in heading 85.48.
2. As no specific product had been examined under this Agenda item, the Committee instructed the Secretariat to prepare a draft amendment to the Explanatory Notes to reflect its decisions.

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II. SECRETARIAT COMMENTS

3. In accordance with the Committee's instructions, the Secretariat has prepared a draft text in which it proposes that the Committee :
 - (1) include a new example to be added to those already cited in the Explanatory Note to heading 84.73, with a view to mentioning certain electronic modules such as the SIMMs and DIMMs classified by the Committee, which do not consist of discrete components and do not have an individual function;
 - (2) insert, in the General Notes to Chapter 85, a paragraph establishing the classification of these modules in general, and
 - (3) amend the text of the fourth paragraph on page 1701 of Explanatory Note to heading 85.42 to make it clear that electronic memory modules of the SIMM and DIMM type are not classified in that heading. In this particular case, the Secretariat has proposed that the present text, which is fairly specific, be replaced by a more general text, the classification of these modules already being dealt with in the Explanatory Note to heading 84.73, as well as in the General Explanatory Notes to Chapter 85, to which the Secretariat proposal refers.
4. Thus, in the proposed texts, the Secretariat has followed the reasoning applied by the Committee in classifying SIMM and DIMM electronic memory modules, which were specifically excluded from heading 85.42 and classified in heading 84.73, since it was found that they were suitable for use solely or principally with automatic data processing machines, did not consist of discrete components and did not have an individual function. The General Explanatory Notes to Chapter 85 give a general indication of how these electronic memory modules are to be classified.

III. CONCLUSION

5. The Committee is invited to express its views on the Secretariat's draft amendments to the Explanatory Notes.

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