



HARMONIZED SYSTEM
COMMITTEE
-
30th Session
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(+ Annex)

O. Fr.

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CLASSIFICATION OF YARN PUT UP IN HANKS

(Item VIII.24 on Agenda)

I. BACKGROUND

1. In a letter dated 4 September 2001, the **Ethiopian** Administration submitted a request to the Secretariat concerning the Harmonized System classification of acrylic yarn put up in hanks.
2. In its reply - written with the benefit of an opinion from a Member's Customs laboratory which had been asked to comment on the composition of the product - the Secretariat gave the initial response that the sample was a yarn of acrylic synthetic staple fibres, put up for retail sale, classifiable in subheading 5511.10 by application of General Interpretative Rules 1 and 6.

II. DESCRIPTION

2-ply multiple (folded) red yarn of acrylic synthetic staple fibres, with a final "S" twist, measuring 73.6 Tex (736 decitex) and put up in a hank weighing 99.8 g.

3. An illustration of this product is appended to this document, and samples will be available for inspection at the meeting.

Note : Shaded parts will be removed when documents are placed on the WCO documentation database available to the public.

File No. 2949

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III. CLASSIFICATION

4. As the product at issue is a multiple (folded) yarn of synthetic staple fibres measuring less than 2000 decitex, put up in hanks of a weight not exceeding 125 g, it could indeed be regarded as put up for retail sale in accordance with the provisions of Note 4 (A) (b) (ii) to Section XI, and the Secretariat gave its opinion on the classification of the product when it no longer had the sample in its possession, on the basis of the information it had received from the laboratory.
5. A second sample, coloured green, was submitted by the **Ethiopian** Administration. Laboratory analysis revealed it to be a yarn identical to the first sample, also put up in hanks and having almost the same Tex (decitex) measurement and weight (745 decitex and 97.5 g). Where this second sample was concerned, the laboratory also maintained its view that the yarn was put up for retail sale, judging that the hanks were not cross-reeled but were ordinary hanks with the yarn laid parallel.
6. However, following a visual inspection of the samples and consultations with trade representatives, the Secretariat concluded that these products were in fact in cross-reeled hanks within the meaning of Note 4 (B) (d) (i) to Section XI, and therefore could not be regarded as being put up for retail sale.

Secretariat comments

7. The first thing to note is that the product at issue does not comply with the definition of sewing thread given in Note 5 to Section XI. Classification in heading 55.08 must therefore be ruled out.
8. The classification of products of this kind is governed essentially by Note 4 to Section XI, and bearing in mind the point raised above, the Secretariat considers that only headings 55.09 and 55.11 should be taken into consideration.
9. As indicated in paragraph 4 above, this is a multiple (folded) yarn of synthetic staple fibres measuring less than 2000 decitex, put up in hanks of a weight not exceeding 125 g. On that basis, it could be regarded as put up for retail sale in accordance with the provisions of Note 4 (A) (b) (ii) to Section XI, unless the exceptions listed in paragraph (B) of Note 4 apply.
10. In fact, one of these exceptions concerns single, multiple (folded) or cabled yarn of any textile material, in cross-reeled hanks or skeins.
11. The Explanatory Notes to Section XI, General, I (B) (3) footnote (*) on page 921, explains what is meant by the term “cross-reeled” in the context of Note 4 (B) (d) (i) to this Section. This footnote states that the term cross-reeling “indicates that in building up the hank the thread crosses diagonally as the hank is being wound, preventing the hank from being split”. It also specifies that “Cross-reeling is the method usually adopted when the hanks are for dyeing”.
12. Although the yarn is already coloured (dyed) and the hank will therefore not be used for dyeing, the sample does seem to correspond in all other respects to the definition given in the above-mentioned Explanatory Notes.

13. The Secretariat therefore took the view that this was in fact acrylic yarn of synthetic staple fibres, not put up for retail sale, classifiable in subheading 5509.32 by application of General Interpretative Rules 1 and 6, and informed the requesting Administration accordingly.
14. Given the divergence of views which has arisen with regard to the classification of this product and the definition of the term "cross-reeled", the Ethiopian Customs Administration and the Secretariat would like this question to go before the Committee for a decision.

IV. CONCLUSION

15. The Committee is invited to examine the classification of yarn put up in hanks, in the light of the Secretariat comments in paragraphs 7 to 14 above, and indicate what measures if any should be taken in this respect.

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