



HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

-
28th Session
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(+ Annex)

O. Eng.

Brussels, 23 July 2003.

POSSIBLE CREATION OF A NEW NOTE 4 (L) TO CHAPTER 30

(PROPOSAL BY THE EC)

(Item III.B.16 on Agenda)

I. BACKGROUND

1. On 30 June 2002, the Secretariat received the following note from the EC regarding possible creation of a new Note 4 (l) to Chapter 30. The EC requested submission of the proposal for consideration by the 28th Session of the Review Sub-Committee.

II. NOTE FROM THE EC

2. "The EC would like to propose a modification of Note 4 to Chapter 30 which relates to the scope of heading 30.06 in order to mention in a new paragraph the articles identifiable for ostomy use.
3. Mostly, these consist of an adhesive wafer (skin barrier) for ostomy patients, the main functions of which are to fasten a pouch which collects bodily wastes to the body and to prevent skin irritation as it protects the skin around the stoma from irritation from the bodily wastes. The wafer has a coupling device to ensure the connection between the skin barrier and the pouch. A brochure in which a type of this article is described is annexed to the present note.

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

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Proposal

4. The EC proposes to add a new paragraph (I) to Note 4 of Chapter 30 in order to mention the articles identifiable for ostomy use :

"4. – Heading 30.06 applies only to the following, which are to be classified in that heading and in no other heading of the Nomenclature :

- (a) ...
- (b) ...
- (I) Appliances identifiable for ostomy use, that is, colostomy-, ileostomy- and urostomy pouches cut to shape and their adhesive wafers or faceplates."

III. SECRETARIAT COMMENTS

5. As Note 4 to Chapter 30 explicitly defines the scope of heading 30.06, the EC is proposing to broaden the scope of heading 30.06 via creation of a new Item (I) to this Note. The proposed new commodities to be included in heading 30.06 are appliances identifiable for ostomy use, that is colostomy, ileostomy and urostomy pouches cut to shape and their adhesive wafers or faceplates. The brochure submitted by the EC (see paragraph 3 above), which describes the commodities at issue will be made available to delegates during the meeting.
6. Generally, although not literally, the texts of subheadings within heading 30.06 follow the wording and structure of Note 4 to Chapter 30. At subheading level, Items (a), (b) and (c) of this Note are grouped together in subheading 3006.10. In this context, if new Note 4 (I) were to be created as proposed by the EC, the commodities listed in its text should be identified at subheading level of heading 30.06 and an amendment of the structured nomenclature to heading 30.06 should be made accordingly.
7. In the Secretariat's view, there would be two possibilities to do so. One option would be to create a new subheading to identify the new commodities separately at subheading level. The second possibility would be to group them with one of the existing subheadings of heading 30.06. The EC may wish to explain what the intention of its proposal is in this respect and to provide trade data with regard to the commodities in question in order to facilitate the discussion of the Sub-Committee on the creation of a new possible new subheading.
8. On the basis of the EC proposal, the Secretariat has prepared a draft amendment of Note 4 to Chapter 30 as set out in the Annex to this document. It would ask the Sub-Committee to express its views as to whether the proposed creation of a new Note 4 (I) to Chapter 30 would be acceptable and what action should be taken vis-à-vis the possible identification of the new commodities at subheading level.

IV. CONCLUSION

9. The Sub-Committee is invited to examine the proposal by the EC to create a new Note 4 (l) to Chapter 30 as set out in the Annex to this document, taking into account the note from the EC and the Secretariat's comments above.

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