



HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

-
24th Session
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NR0202E1
(+ Annex)
O. Fr.

H2-1

Brussels, 13 September 2001.

PROPOSAL BY THE US ADMINISTRATION TO AMEND THE NOMENCLATURE

TO HEADING 85.19

(Item III.A.12 on Agenda)

Documents de référence :

NR0149E1 (RSC/23)	NC0340E2, Annex F, paragraphs 25 to 33
NR0158E1 (RSC/23)	(HSC/27 - Report)
NR0165E2, Annexes D/1, paragraphs 5 to 10 and D/7	NC0180E1 (RSC/24)
(RSC/23 - Report)	

I. BACKGROUND

1. After the publication of Doc. NR0180E1, the Secretariat received the following note from the Swiss Administration :

II. NOTE FROM THE SWISS ADMINISTRATION

2. "We have given careful consideration to Doc. NR0180E1 concerning the amendment of the structured nomenclature of heading 85.19.
3. The proposed new structure of heading 85.19 provides, in particular, for subheadings for record-players, turntables and cassette-players. We consider that the separate identification of these apparatus is not warranted, given that their economic significance is declining steadily.
4. On the other hand, our Administration has recently classified in subheading 8519.99 "MP3" digital audio players (see Annex). This apparatus consists essentially of the following elements :

File No. 2847

- control pad with control buttons and LCD screen
- flash memory (built-in or in the form of a removable storage medium)
- processor
- amplifier with headphone output
- computer connection elements (links with PCs, etc.).

5. MP3 data (MP3 is a compression format) are generally obtained via a PC or downloaded directly from the Internet. Linking an MP3 player to a PC enables MP3 data to be transferred to the memory of the player. The player incorporates a decoder enabling it to play the sounds and music stored in its memory.
6. The transfer of MP3 files from a computer to the memory of the MP3 player does not constitute sound recording within the meaning of heading 85.20 (see the Explanatory Notes to that heading). Therefore, we have classified this apparatus in heading 85.19 as digital sound (audio) reproducing apparatus "not incorporating a sound recording device".
7. We consider that apparatus of this type is already of genuine economic significance, and can be expected to assume much greater importance in the future.
8. The same applies to DAT (digital audio tape) players, which are increasingly replacing the traditional analogue cassette-players.
9. On the basis of the above explanations, Switzerland proposes the following for the subheadings of heading 85.19 :

85.19 Sound reproducing apparatus

- Digital audio apparatus :
 - 8519.51 -- With a laser reading system
 - 8519.52 -- Digital audio tape players
 - 8519.53 -- Other, with built-in or removable memory
 - [8519.60 - Record-players and turntables]
 - [- Cassette-players (other than digital) :
 - 8519.71 -- Pocket-size
 - 8519.79 -- Other]
 - 8519.90 - Other"

III. CONCLUSION

10. The Sub-Committee is invited to take into consideration the observations submitted by the Swiss Administration, as well as corresponding information set out in the Annex to this document, when examining the new Swiss proposal reproduced at paragraph 9 above.

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