



HARMONIZED SYSTEM  
REVIEW SUB-COMMITTEE

-  
28<sup>th</sup> Session  
-

NR0442E1  
(+ Annex)

O. Eng.

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POSSIBLE GROUPING OF ALL PRODUCTS COVERED BY THE MONTREAL PROTOCOL  
AND THE ROTTERDAM CONVENTION UNDER ONE HEADING  
(PROPOSAL BY THE CANADIAN ADMINISTRATION)

(Item III.A.7 on Agenda)

Reference documents :

NC0590E2, paragraph 38 (HSC/29 – Report)	NC0697E1 (HSC/31)
NC0634E1 (HSC/30)	NC0730E2, Annexes H/11 and N/1 (HSC/31 – Report)
NC0648E1 (HSC/30)	NR0440E1 (RSC/28)
NC0655E2, Annexes H/20 and M/8 (HSC/30 – Report)	NR0441E1 (RSC/28)
NS0080E2, Annexes A/17 and C/11 (SSC/18 – Report)	

I. BACKGROUND

1. On 13 May 2003, the Secretariat received the following Note from the Canadian Customs Administration regarding creation of heading 38.26 to provide for the products listed in the Montreal Protocol and the Rotterdam Convention. Canada requested the proposal to be submitted for consideration by the 28<sup>th</sup> Session of the Review Sub-Committee.

II. NOTE FROM CANADA

Background

2. “The World Customs Organisation is studying the possible creation of approximately 100 specific sub-headings to provide for the substances listed in the Montreal Protocol and the Rotterdam Convention, and preparations (mixtures) that contain these substances. The number of subheadings required is considerably larger when we include the “Other” subheadings that will be needed to cover the goods not specifically named in the proposed subheading but that are covered by the heading. For example proposed subheading 3209.19 is required to cover acrylic or vinyl polymer based paints, in aqueous medium, that

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do not contain mercury compounds. For all administrations, the 100 specific subheadings will provide for very few products and thus will be essentially empty.

3. The proposed 100 specific subheadings will not cover all of the preparations containing the controlled substances and will be out-of-date before they are implemented. For example, the one heading (28.51) and 13 subheadings (found in other headings) that are proposed to track the movement of mercury compounds, will not provide for cosmetic products (e.g., whitening creams) that contain mercury compounds.
4. The products and mixtures covered by the Montreal Protocol and the Rotterdam Convention (when it takes effect) will be covered by a variety of subheadings scattered throughout the Nomenclature, primarily Chapters 28 through 38. The effort required to combine import statistics on a single controlled substance (e.g., mercury compounds) will be considerable.
5. The proposed structure will create unnecessary classification problems. For example, the Montreal Protocol requires that administrations track the movement of mixtures containing bromomethane (methyl bromide). The proposed structure will require that we needlessly determine if the mixture is an insecticide (3808.10), a fungicide (3808.20) or a disinfectant (3808.40), all of which are very similar.
6. The proposed texts for subheadings 3824.71 through 3824.77 will require that classification officials be familiar with the scope of CFCs, HCFCs, HFCs etc. Customs officers would benefit from having a list of these compounds readily accessible within an HS reference.
7. Another problem is determining the scope of the word "containing" that is mentioned in the text of the proposed subheadings. Without a definition for this word, administrations will need to develop their own guidelines. The consequence is that a variety of different interpretations will be developed.

### **Discussion and proposal**

8. At the January 2003 meeting of the Scientific Sub-Committee, **Canada** proposed a solution that addressed many of the problems identified above. During the meeting, the Director of Tariff and Trade Affairs made a number of suggestions concerning the **Canadian** proposal. In the Annex to the present document, we have attached a revised version of our proposal for consideration by the Review Sub-Committee and the Harmonized System Committee.
9. In the 2002 edition of the HS Nomenclature, the WCO created heading 38.25 to resolve classification problems regarding wastes. **Canada** recommends a similar solution to the problems identified above. Specifically, we propose the creation of heading 38.26 to provide for substances controlled by international agreements. Initially, this heading would cover substances controlled by the Montreal Protocol and the Rotterdam Convention (when it takes effect), and for preparations containing these substances.
10. In the proposal, we create Chapter Note 7 to Chapter 38 to establish the scope of heading 38.26. This Note is modelled on other Notes that serve the same purpose (e.g., Note 4 to Chapter 30). Heading 38.26 provides for the controlled substances and all preparations that contain a controlled substance. Our proposal could be easily modified so that heading 38.26 provides only for the preparations and that some or all of the pure

substances are directed to their primary headings, principally within Chapter 29. However, we see considerable advantage to grouping the pure substances with their preparations rather than have a proliferation of empty subheadings within Chapter 29.

11. Proposed Note 7 would apply throughout the Nomenclature. However, we may want to exclude certain specific headings from this provision. Possible exceptions that come to mind include headings 28.44 (radioactive compounds), 28.45 (compounds of non-radioactive isotopes) and 38.22 (certified reference materials). For example, it may be preferred to classify an isotope of a CFC in heading 28.45 rather than in heading 38.26.
12. Note 7 includes a definition for the word “containing” that appears in proposed Note 7, in the text of heading 38.26 and in the text of the subheadings within 38.26. “Containing” applies to a substance that is intentionally present in a preparation. “Containing” does not apply to substances that are incidentally present (impurities). This concept already exists in the HS Nomenclature. For example, it forms the basis of classification within Chapters 28 and 29. Within these Chapters, we must determine whether a minor component been deliberately added or if it is an impurity. If the component is deliberately added, we must determine its function.
13. A number of the preparations that are covered by proposed heading 38.26 are not presently covered by the Montreal Protocol or the Rotterdam Convention (when it takes effect). However, our intention is to group these preparations together so that administrations will be able to readily determine the import levels into their country for any preparation containing the controlled substances and so that they will be better able to comply with future requirements of the Montreal Protocol and the Rotterdam Convention. For example, aerosol paints that contain CFCs, are not covered by the Montreal Protocol. However, administrations may want to monitor their level of importations. These products do have a negative effect on the environment. Note that the mixtures covered by the Montreal Protocol and the Rotterdam Convention, when the latter takes effect, will be updated much quicker than the HS Nomenclature will be.
14. Our proposal uses the concept for describing ozone depleting substances (OZD) that was discussed at the January 2003 SSC meeting. This concept is documented in Annex C/9 to Doc. NS0080B1 and is based on halogenated derivatives to methane, ethane and propane.
15. We have not used all of the texts proposed by the SSC, for example, the proposed text for the one dash subheading 3824.7 (Mixtures containing halogenated derivatives of methane, ethane or propane). This suggested subheading text would have moved all mixtures that contained chloroform or methylene chloride from subheading 3824.90 to subheading 3824.79. This proposed text would also have covered mixtures that contained ethylene dichloride or ethylene dibromide that were not classified elsewhere in a specific heading. Thus a preparation containing ethylene dichloride used as an insecticide would have been classified in proposed subheading 3808.11. However another preparation containing ethylene dichloride as a solvent would have been classified in proposed subheading 3824.79 (closely associated with the Montreal Protocol) rather than in a subheading intended for goods covered by the Rotterdam Convention.
16. The proposed subheading texts from the Ozone Secretariat went to considerable effort to prescribe the classification of preparations that contain substances found in two or more of the subheadings relating to the Montreal Protocol (containing ... whether or not containing ... but not containing). The proposed subheadings from the Rotterdam Convention Secretariat

did not have the same concern because many of the controlled substances were grouped together (e.g., proposed subheading 3808.11 groups 15 separate controlled insecticides, and their mixtures, into a single subheading).

17. No proposal to date has dealt with the classification of a product that contains both a substance controlled by the Rotterdam Convention (e.g., an insecticide) and a substance controlled by the Montreal Protocol (e.g., a propellant). We have proposed Subheading Note 2 to indicate the classification of preparations that contain substances classified in two or more of the subheadings within heading 38.26. Our proposal maintains the order suggested by the Ozone Secretariat, but with a much simpler text. Our proposed order for preparations that contain substances of two or more subheadings within 3826.21 through 3826.47 (Rotterdam Convention) or preparations that contain a substance controlled by the Montreal Protocol and another that is controlled by the Rotterdam Convention was arbitrarily selected and can be changed.
18. Our proposal includes a complete listing of the various substances that are covered by the Montreal Protocol. The listing is in tables that include the chemical formula, the chemical name and the common name (when available). These tables should be included in the Explanatory Notes for heading 38.26. If deemed desirable, these tables could be moved to a Subheading Note.
19. We recommend that the Explanatory Notes for heading 38.26 indicate that this heading provides for the substances controlled by the Montreal Protocol and the Rotterdam Convention and preparations containing these substances. We believe that this explanation would simplify the administration of heading 38.26.
20. In addition to the legal texts contained in the Annex to the present text, our proposal would require additions to other legal notes, for example Notes in Chapters 28 and 29 excluding the goods of heading 38.26 from those respective Chapters. We are willing to propose our recommendation for these texts if the proposals contained in the present document are accepted.”

### III. SECRETARIAT COMMENTS

21. The **Canadian** proposal to group all of the products listed in the Montreal Protocol and the Rotterdam Convention in a single heading is an alternative to the existing proposals regarding the possible separate identification of these products within the framework of the current HS Nomenclature (see Items III.A.5 and III.A.10 on the Agenda; Docs. NR0440E1 and NR0411E1, respectively). Both alternatives try to cover the controlled separate chemically defined compounds, as well as products/preparations containing controlled substances, and propose to restructure the HS Nomenclature to a different degree.
22. In general, the **Canadian** approach would require a substantial rearrangement of the Nomenclature since it provides for the transfer of all controlled separate chemically defined compounds (mainly from Chapter 29), as well as all preparations containing these substances (from throughout the Nomenclature) to new proposed heading 38.26. At the subheading level of heading 38.26, these separate chemically defined compounds are proposed to be grouped with preparations containing these substances. That would mean that all subheadings for the controlled separate chemically defined substances (other than residual subheadings) in Chapter 29, which currently exist, would be deleted.

23. Consequently, there would be no separate identification of these environmentally dangerous substances in the future and the structure proposed by **Canada** would not allow for the collection of separate trade statistics nor the monitoring of the movement of these substances in separate chemically defined form.
24. From the original proposals received from the Ozone Secretariat and the Interim Secretariat for the Rotterdam Convention (see Doc. NC0601E1 and ND0634E1), the Secretariat understands that the primary interest of these organisations would be to provide specific provisions in the Harmonized System for separate chemically defined compounds controlled by the international conventions. As a second step, provisions enabling the monitoring of mixtures and/or preparations containing these controlled substances would be desirable. Keeping these priorities in mind, separate subheadings for certain separate chemically defined substances controlled by virtue of the Montreal Protocol, mainly in Chapter 29, had already been created in the HS 1996 Nomenclature.
25. On the other hand, the regrouping of all products covered by the Montreal Protocol and the Rotterdam Convention, as proposed by **Canada**, could be advantageous from the practical Customs point of view. The Secretariat, however, wonders whether the needs of the respective international agreements for the monitoring and collection of information on controlled substances would be met.
26. The **Canadian** approach represents a complex proposal which assumes creation of one new heading with 30 separate subheadings (31, if camphechlor listed in new Note 7 (I) and preparations containing it would be identified separately). If a distinction were to be made at subheading level between separate chemically defined compounds and preparations containing them in order to cope with the requirements of the international organisations, 62 new subheadings would have to be created. In addition, as pointed out by **Canada** in paragraph 20 above, the **Canadian** approach would require another set of consequential amendments, mainly exclusion Notes, throughout the Nomenclature.
27. The amendments based on the **EC** proposal regarding the Rotterdam Convention (Doc. NR0440E1) would require the creation of 33 new subdivisions (headings/subheadings) or the creation of 20 new subdivisions if the recommendations of the SSC regarding headings 32.16, 33.08, 34.08 and 38.26 were to be accepted (see Doc. NR0440E1). Naturally, the number of subheadings which would need to be renumbered due to this restructuring at the subheading level would be higher. Nevertheless, in the Secretariat's view, the transfer of products across Chapter lines would be limited to the creation of new heading 28.52.
28. The proposed amendments to heading 38.24 regarding ozone layer depleting substances (ODS) (Doc. NR0411E1) assume the creation of six new subdivisions (five, if a separate subheading for substitutes for ODS is not accepted). In the Secretariat's opinion, these amendments would not involve any transfers from other headings.
29. Consequently, the Secretariat is not sure whether the **Canadian** proposal would, in fact, significantly reduce the number of new subheadings in comparison with the two sets of alternative amendments.
30. As stated in paragraph 10 above, the **Canadian** proposal could, of course, be modified so as not to transfer separate chemically defined substances to proposed new heading 38.26. The Secretariat feels that if that were the case, the possible amendments to Chapters 25, 28 and 29 which had been proposed to separately identify certain controlled

hazardous chemicals/materials (see the Annex to Doc. NR0440E1) should be considered as complementary to such a modified **Canadian** proposal. In other words, the modified **Canadian** proposal to identify all preparations containing one or more of the controlled substances in one single heading of the Nomenclature (heading 38.26) could be examined as a possibility to further simplifying the recommendations for heading 38.08 and Chapters 32, 33, 34 and 38 made by the Scientific Sub-Committee (see Doc. NR0440E1).

31. The use of the word “containing” is not new in the HS Nomenclature. Since there is no general legal definition of this term, the Secretariat understands the **Canadian** proposal to create a legal Note delimiting the scope of the new proposed heading and providing guidance with regard to the interpretation of the word “containing”. However, we wonder whether the expressions “intentionally present in the preparation” and “incidentally present” would be easy to apply, since it may not be possible to verify them by analysis or to obtain such information from the importer and/or manufacturer. Consequently, proposed new Note 7 to Chapter 38 may not be interpreted uniformly and would not provide sufficient guidance as to when preparations should be classified in heading 38.26 as opposed to their respecting headings.
32. On the other hand, the Secretariat appreciates the tables proposed by **Canada**, listing the individual types of halogenated hydrocarbons controlled by virtue of the Montreal Protocol. Since these tables are modelled on the Montreal Protocol, they could contribute to a better understanding of certain proposed subdivisions, and provide guidance with regard to the scope of the Montreal Protocol for users of the Nomenclature. In the Secretariat’s view, these tables could also serve as an explanation of the abbreviations for halogenated hydrocarbons generally used by environmental officers. In any case, the Secretariat believes that the tables could be a very good basis for consequential Explanatory Note amendments, regardless whether the **Canadian** approach or one of the existing sets of alternative amendments (Doc. NR0440E1 or NR0411E1) is accepted.
33. The Secretariat would also like to point out that the concerns of **Canada**, summarised in paragraphs 3 to 6 above, were already addressed by the Scientific Sub-Committee at its 18<sup>th</sup> Session and the proposed amendments were refined accordingly in Doc. NR0440E1 and NR0411E1. In this respect, it should be noted that the wording of the **Canadian** proposal does not take account of the general recommendations of the Scientific Sub-Committee, such as the agreed terminology (including abbreviations for halogenated hydrocarbons requested by the Ozone Secretariat), the ISO names or the alternative names of the chemicals.
34. From the general perspective, the Secretariat appreciates the innovative approach of the **Canadian** Administration to create a separate heading for commodities controlled by international agreements. Initially, this separate heading has been proposed to accommodate the Montreal Protocol and the Rotterdam Convention. If the idea is eventually accepted, the same concept could be applied to respond to the needs of other international conventions, even those for which separate provisions already exist in the Harmonized System.
35. Nevertheless, in the light of the above comments, the Secretariat has some concerns about the workability of the texts proposed by **Canada**. It wonders whether such amendments would, in fact, satisfy the requirements of the two requesting international organisations and whether they could be uniformly implemented by all users of the Nomenclature. The Secretariat would therefore prefer an approach which follows the current

principles of the HS Nomenclature, such as the amendments proposed in Docs. NR0440E1 and NR0411E1.

#### IV. CONCLUSION

36. The Sub-Committee is invited to examine the **Canadian** proposal to create a new heading to provide for all products listed in the Montreal Protocol and the Rotterdam Convention, as set out in the Annex to this document, taking account of the Note by **Canada** and the Secretariat's comments above.

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CANADIAN PROPOSAL

“LEGAL TEXTS TO CHAPTER 38

Canada proposes the following additions to the Nomenclature to provide for the substances covered by the Montreal Protocol and the Rotterdam Convention, as well as for the preparations containing these substances.

Chapter 38.

Insert new Note 7 :

“7.- Heading 38.26 applies only to the goods listed below, which are to be classified in that heading and in no other heading of the Nomenclature.

Throughout this Note and heading 38.26, “containing” means that the substance is intentionally present in the preparation. “Containing” does not apply to substances that are incidentally present (impurities).

Unless a specific isomer is indicated, a chemical name refers to all possible isomers.

- (a) Methane, ethane or propane, halogenated (including perhalogenated) only with both chlorine and fluorine; preparations containing one or more of the foregoing;
- (b) Bromochlorodifluoromethane, bromotrifluoromethane or dibromotetrafluoroethanes; preparations containing one or more of the foregoing;
- (c) Methane, ethane or propane, halogenated (but not perhalogenated), only with both bromine and fluorine; preparations containing one or more of the foregoing;
- (d) Carbon tetrachloride, 1,1,1-trichloroethane (methyl chloroform), bromomethane (methyl bromide) or bromochloromethane; preparations containing one or more of the foregoing;
- (e) Methane, ethane or propane, halogenated (including perhalogenated), only with fluorine; preparations containing one or more of the foregoing;
- (f) Crocidolite; fabricated fibres, mixtures and articles of the foregoing;
- (g) Inorganic and organic separate chemically defined compounds of mercury; preparations, other than amalgams, containing mercury or mercury compounds;
- (h) Polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs); preparations containing one or more of the foregoing;
- (ij) Ethylene dichloride, ethylene dibromide, hexachlorocyclohexanes (including lindane), aldrin, chlordane or heptachlor; preparations containing one or more of the foregoing;
- (k) hexachlorobenzene, 1,1,1-trichloro-2,2-bis(p-chlorophenyl)ethane, pentachlorophenol, dieldrin, dinoseb, its salts and its esters, binapacryl, chlorobenzilate, 2,4,5-T, its salts and esters, or tris(2,3-dibromopropyl)phosphate; preparations containing one or more of the foregoing;
- (l) parathion, parathion-methyl, fluoroacetamide, monocrotophos, phosphamidon, chlordimeform, captafol, metamidophos or camphechlor; preparations containing one or more of the foregoing.”

New heading 38.26.

1. Insert new heading 38.26 :

**“38.26 Goods specified in Note 7 to this Chapter.”**

2. Insert new subheadings 3826.1 through 3826.17 :

“ - Goods listed in Note 7(a) through 7(e) to this Chapter :

- 3826.11 -- Methane, ethane or propane, perhalogenated only with both chlorine and fluorine; preparations containing one or more of the foregoing
- 3826.12 -- Bromochlorodifluoromethane, bromotrifluoromethane or dibromotetrafluoroethanes; preparations containing one or more of the foregoing
- 3826.13 -- Methane, ethane or propane, halogenated (but not perhalogenated), only with both bromine and fluorine; preparations containing one or more of the foregoing
- 3826.14 -- Methane, ethane or propane, halogenated (but not perhalogenated), only with both chlorine and fluorine; preparations containing one or more of the foregoing
- 3826.15 -- Carbon tetrachloride or 1,1,1,-trichloroethane (methyl chloroform); preparations containing one or both of the foregoing
- 3826.16 -- Bromomethane (methyl bromide) or bromochloromethane; preparations containing one or both of the foregoing
- 3826.17 -- Methane, ethane or propane, halogenated, including perhalogenated, only with fluorine; preparations containing one or more of the foregoing”.

3. Insert new subheadings 3826.2 through 3826.28 :

“ - Goods listed in Note 7(f) through 7(ij) to this Chapter :

- 3826.21 -- Crocidolite (a variety of asbestos); fabricated fibres, mixtures and articles containing the foregoing
- 3826.22 -- Inorganic or organic separate chemically defined compounds of mercury
- 3826.23 -- Preparations, other than amalgams, containing mercury or mercury compounds

- 3826.24 -- Polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs); preparations containing one or more of the foregoing
- 3826.25 -- Ethylene dichloride (1,2-dichloroethane); preparations containing the foregoing
- 3826.26 -- Ethylene dibromide (1,2-dibromoethane); preparations containing the foregoing
- 3826.27 -- Hexachlorocyclohexanes, including lindane; preparations containing the foregoing
- 3826.28 -- Aldrin, chlordane or heptachlor; preparations containing one or more of the foregoing”.

4. Insert new subheadings 3826.3 through 3826.38 :

“ - Goods listed in Note 7(k) to this Chapter :

- 3826.31 -- Hexachlorobenzene or DDT (ISO) (1,1,1-trichloro-2,2-bis(p-chlorophenyl)ethane); preparations containing one or both of the foregoing
- 3826.32 -- Pentachlorophenol; preparations containing the foregoing
- 3826.33 -- Dieldrin; preparations containing the foregoing
- 3826.34 -- Dinoseb, its salts or its esters; preparations containing one or more of the foregoing
- 3826.35 -- Binapacryl; preparations containing the foregoing
- 3826.36 -- Chlorobenzilate; preparations containing the foregoing
- 3826.37 -- 2,4,5-trichlorophenoxyacetic acid (2,4,5-T) or its salts; preparations containing one or more of the foregoing
- 3826.38 -- Tris(2,3-dibromopropyl)phosphate; preparations containing the foregoing”.

5. Insert new subheadings 3826.4 through 3826.47 :

“ - Goods listed in Note 7(l) to this Chapter :

- 3826.41 -- Parathion or methyl-parathion; preparations containing the foregoing
- 3826.42 -- Fluoroacetamide; preparations containing the foregoing
- 3826.43 -- Monocrotophos; preparations containing the foregoing

- 3826.44 -- Phosphamidon; preparations containing the foregoing  
 3826.45 -- Chlordimeform; preparations containing the foregoing  
 3826.46 -- Captafol; preparations containing the foregoing  
 3826.47 -- Metamidophos; preparations containing the foregoing”.

New Subheading Note 2.

“2.- Preparations that can be classified in two or more of the subheadings 3826.11 through 3826.47 shall be classified in the subheading that occurs first in numerical order.”

EXPLANATORY NOTES TO CHAPTER 38

Heading 38.26.

1. Insert the following text (other text will doubtless need to be added) :

“Subheadings 3826.11 through 3826.17 cover the substances that deplete the ozone layer that are controlled by the Montreal Protocol and preparations that contain these substances.

Subheading 3826.11 provides for methane, ethane or propane, perhalogenated only with both chlorine and fluorine (perchlorofluorocarbon or CFCs), listed in the following table and preparations containing one or more of these substances :

FORMULA	CHEMICAL NAME	COMMON NAME
CCl <sub>3</sub> F	trichlorofluoromethane	CFC-11
CCl <sub>2</sub> F <sub>2</sub>	dichlorodifluoromethane	CFC-12
CClF <sub>3</sub>	chlorotrifluoromethane	CFC-13
C <sub>2</sub> Cl <sub>5</sub> F	pentachlorofluoroethane	CFC-111
C <sub>2</sub> Cl <sub>4</sub> F <sub>2</sub>	tetrachlorodifluoroethane	CFC-112
C <sub>2</sub> Cl <sub>3</sub> F <sub>3</sub>	trichlorotrifluoroethane	CFC-113
C <sub>2</sub> Cl <sub>2</sub> F <sub>4</sub>	dichlorotetrafluoroethane	CFC-114
C <sub>2</sub> ClF <sub>5</sub>	chloropentafluoroethane	CFC-115
C <sub>3</sub> Cl <sub>7</sub> F	heptachlorofluoropropane	CFC-211
C <sub>3</sub> Cl <sub>6</sub> F <sub>2</sub>	hexachlorodifluoropropane	CFC-212
C <sub>3</sub> Cl <sub>5</sub> F <sub>3</sub>	pentachlorotrifluoropropane	CFC-213
C <sub>3</sub> Cl <sub>4</sub> F <sub>4</sub>	tetrachlorotetrafluoropropane	CFC-214
C <sub>3</sub> Cl <sub>3</sub> F <sub>5</sub>	trichloropentafluoropropane	CFC-215
C <sub>3</sub> Cl <sub>2</sub> F <sub>6</sub>	dichlorohexafluoropropane	CFC-216
C <sub>3</sub> ClF <sub>7</sub>	chloroheptafluoropropane	CFC-217

Subheading 3826.12 provides for the substances listed in the following table and preparations containing one or more of these substances :

FORMULA	CHEMICAL NAME	COMMON NAME
CF <sub>2</sub> BrCl	bromochlorodifluoromethane	Halon 1211
CBrF <sub>3</sub>	bromotrifluoromethane	Halon 1301
C <sub>2</sub> F <sub>4</sub> Br <sub>2</sub>	dibromotetrafluoroethane	Halon 2402

Subheading 3826.13 provides for methane, ethane or propane, halogenated (but not perhalogenated), only with both bromine and fluorine (bromofluorohydrocarbons or HBFCs), listed in the following table and preparations containing one or more of these substances :

FORMULA	CHEMICAL NAME	COMMON NAME
CHBr <sub>2</sub> F	dibromofluoromethane	
CHBrF <sub>2</sub>	bromodifluoromethane	
CH <sub>2</sub> BrF	bromofluoromethane	
C <sub>2</sub> HBr <sub>4</sub> F	tetrabromofluoroethane	
C <sub>2</sub> HBr <sub>3</sub> F <sub>2</sub>	tribromodifluoroethane	
C <sub>2</sub> HBr <sub>2</sub> F <sub>3</sub>	dibromotrifluoroethane	
C <sub>2</sub> HBrF <sub>4</sub>	bromotetrafluoroethane	
C <sub>2</sub> H <sub>2</sub> Br <sub>3</sub> F	tribromofluoroethane	
C <sub>2</sub> H <sub>2</sub> Br <sub>2</sub> F <sub>2</sub>	dibromodifluoroethane	
C <sub>2</sub> H <sub>2</sub> BrF <sub>3</sub>	bromotrifluoroethane	
C <sub>2</sub> H <sub>3</sub> Br <sub>2</sub> F	dibromofluoroethane	
C <sub>2</sub> H <sub>3</sub> BrF <sub>2</sub>	bromodifluoroethane	
C <sub>2</sub> H <sub>4</sub> BrF	bromofluoroethane	
C <sub>3</sub> HBr <sub>6</sub> F	hexabromofluoropropane	
C <sub>3</sub> HBr <sub>5</sub> F <sub>2</sub>	pentabromodifluoropropane	
C <sub>3</sub> HBr <sub>4</sub> F <sub>3</sub>	tetrabromotrifluoropropane	
C <sub>3</sub> HBr <sub>3</sub> F <sub>4</sub>	tribromotetrafluoropropane	
C <sub>3</sub> HBr <sub>2</sub> F <sub>5</sub>	dibromopentafluoropropane	
C <sub>3</sub> HBrF <sub>6</sub>	bromohexafluoropropane	
C <sub>3</sub> H <sub>2</sub> Br <sub>5</sub> F	pentabromofluoropropane	
C <sub>3</sub> H <sub>2</sub> Br <sub>4</sub> F <sub>2</sub>	tetrabromodifluoropropane	
C <sub>3</sub> H <sub>2</sub> Br <sub>3</sub> F <sub>3</sub>	tribromotrifluoropropane	
C <sub>3</sub> H <sub>2</sub> Br <sub>2</sub> F <sub>4</sub>	dibromotetrafluoropropane	
C <sub>3</sub> H <sub>2</sub> BrF <sub>5</sub>	bromopentafluoropropane	
C <sub>3</sub> H <sub>3</sub> Br <sub>4</sub> F	tetrabromofluoropropane	
C <sub>3</sub> H <sub>3</sub> Br <sub>3</sub> F <sub>2</sub>	tribromodifluoropropane	
C <sub>3</sub> H <sub>3</sub> Br <sub>2</sub> F <sub>3</sub>	dibromotrifluoropropane	
C <sub>3</sub> H <sub>3</sub> BrF <sub>4</sub>	bromotetrafluoropropane	
C <sub>3</sub> H <sub>4</sub> Br <sub>3</sub> F	tribromofluoropropane	
C <sub>3</sub> H <sub>4</sub> Br <sub>2</sub> F <sub>2</sub>	dibromodifluoropropane	
C <sub>3</sub> H <sub>4</sub> BrF <sub>3</sub>	bromotrifluoropropane	
C <sub>3</sub> H <sub>5</sub> Br <sub>2</sub> F	dibromofluoropropane	
C <sub>3</sub> H <sub>5</sub> BrF <sub>2</sub>	bromodifluoropropane	
C <sub>3</sub> H <sub>6</sub> BrF	bromofluoropropane	

Subheading 3826.14 provides for methane, ethane or propane, halogenated, but not perhalogenated, only with both chlorine and fluorine (chlorofluorohydrocarbons or HCFCs), listed in the following table and preparations containing one or more of these substances :

FORMULA	CHEMICAL NAME	COMMON NAME
CHCl <sub>2</sub> F	dichlorofluoromethane	HCFC-21
CHClF <sub>2</sub>	chlorodifluoromethane	HCFC-22
CH <sub>2</sub> ClF	chlorofluoromethane	HCFC-31
C <sub>2</sub> HCl <sub>4</sub> F	tetrachlorofluoroethane	HCFC-121
C <sub>2</sub> HCl <sub>3</sub> F <sub>2</sub>	trichlorodifluoroethane	HCFC-122
C <sub>2</sub> HCl <sub>2</sub> F <sub>3</sub>	dichlorotrifluoroethane	HCFC-123
C <sub>2</sub> HClF <sub>4</sub>	chlorotetrafluoroethane	HCFC-124
C <sub>2</sub> H <sub>2</sub> Cl <sub>3</sub> F	trichlorofluoroethane	HCFC-131
C <sub>2</sub> H <sub>2</sub> Cl <sub>2</sub> F <sub>2</sub>	dichlorodifluoroethane	HCFC-132
C <sub>2</sub> H <sub>2</sub> ClF <sub>3</sub>	chlorotrifluoroethane	HCFC-133
C <sub>2</sub> H <sub>3</sub> Cl <sub>2</sub> F	dichlorofluoroethane	HCFC-141
C <sub>2</sub> H <sub>3</sub> ClF <sub>2</sub>	chlorodifluoroethane	HCFC-142
C <sub>2</sub> H <sub>4</sub> ClF	chlorofluoroethane	HCFC-151
C <sub>3</sub> HCl <sub>6</sub> F	hexachlorofluoropropane	HCFC-221
C <sub>3</sub> HCl <sub>5</sub> F <sub>2</sub>	pentachlorodifluoropropane	HCFC-222
C <sub>3</sub> HCl <sub>4</sub> F <sub>3</sub>	tetrachlorotrifluoropropane	HCFC-223
C <sub>3</sub> HCl <sub>3</sub> F <sub>4</sub>	trichlorotetrafluoropropane	HCFC-224
C <sub>3</sub> HCl <sub>2</sub> F <sub>5</sub>	dichloropentafluoropropane	HCFC-225
C <sub>3</sub> HClF <sub>6</sub>	chlorohexafluoropropane	HCFC-226
C <sub>3</sub> H <sub>2</sub> Cl <sub>5</sub> F	pentachlorofluoropropane	HCFC-231
C <sub>3</sub> H <sub>2</sub> Cl <sub>4</sub> F <sub>2</sub>	tetrachlorodifluoropropane	HCFC-232
C <sub>3</sub> H <sub>2</sub> Cl <sub>3</sub> F <sub>3</sub>	trichlorotrifluoropropane	HCFC-233
C <sub>3</sub> H <sub>2</sub> Cl <sub>2</sub> F <sub>4</sub>	dichlorotetrafluoropropane	HCFC-234
C <sub>3</sub> H <sub>2</sub> ClF <sub>5</sub>	chloropentafluoropropane	HCFC-235
C <sub>3</sub> H <sub>3</sub> Cl <sub>4</sub> F	tetrachlorofluoropropane	HCFC-241
C <sub>3</sub> H <sub>3</sub> Cl <sub>3</sub> F <sub>2</sub>	trichlorodifluoropropane	HCFC-242
C <sub>3</sub> H <sub>3</sub> Cl <sub>2</sub> F <sub>3</sub>	dichlorotrifluoropropane	HCFC-243
C <sub>3</sub> H <sub>3</sub> ClF <sub>4</sub>	chlorotetrafluoropropane	HCFC-244
C <sub>3</sub> H <sub>4</sub> Cl <sub>3</sub> F	trichlorofluoropropane	HCFC-251
C <sub>3</sub> H <sub>4</sub> Cl <sub>2</sub> F <sub>2</sub>	dichlorodifluoropropane	HCFC-252
C <sub>3</sub> H <sub>4</sub> ClF <sub>3</sub>	chlorotrifluoropropane	HCFC-253
C <sub>3</sub> H <sub>5</sub> Cl <sub>2</sub> F	dichlorofluoropropane	HCFC-261
C <sub>3</sub> H <sub>5</sub> ClF <sub>2</sub>	chlorodifluoropropane	HCFC-262
C <sub>3</sub> H <sub>6</sub> ClF	chlorofluoropropane	HCFC-271

Subheading 3826.17 provides for methane, ethane or propane, halogenated (including perhalogenated), only with fluorine (perfluorocarbons or PFCs and fluorohydrocarbons or HFCs) listed in the following table and preparations containing one or more of these substances :

FORMULA	CHEMICAL NAME	COMMON NAME
CF <sub>4</sub>	tetrafluoromethane	
C <sub>2</sub> F <sub>6</sub>	hexafluoroethane	
C <sub>3</sub> F <sub>8</sub>	octafluoropropane	
CHF <sub>3</sub>	trifluoromethane	HFC-23
CH <sub>2</sub> F <sub>2</sub>	difluoromethane	HFC-32
CH <sub>3</sub> F	fluoromethane	HFC-41
C <sub>2</sub> HF <sub>5</sub>	pentafluoroethane	HFC-125
C <sub>2</sub> H <sub>2</sub> F <sub>4</sub>	tetrafluoroethane	HFC-134
C <sub>2</sub> H <sub>3</sub> F <sub>3</sub>	trifluoroethane	HFC-143
C <sub>2</sub> H <sub>4</sub> F <sub>2</sub>	difluoroethane	HFC-152
C <sub>2</sub> H <sub>5</sub> F	fluoroethane	HFC-161
C <sub>3</sub> HF <sub>7</sub>	heptafluoropropane	HFC-227
C <sub>3</sub> H <sub>2</sub> F <sub>6</sub>	hexafluoropropane	HFC-236
C <sub>3</sub> H <sub>3</sub> F <sub>5</sub>	pentafluoropropane	HFC-245
C <sub>3</sub> H <sub>4</sub> F <sub>4</sub>	tetrafluoropropane	HFC-254
C <sub>3</sub> H <sub>5</sub> F <sub>3</sub>	trifluoropropane	HFC-263
C <sub>3</sub> H <sub>6</sub> F <sub>2</sub>	difluoropropane	HFC-272
C <sub>3</sub> H <sub>7</sub> F	fluoropropane	HFC-281

Subheadings 3826.21 through 3826.47 cover the hazardous substances that are enumerated in, or being considered for inclusion in, the Rotterdam Convention, and their preparations. Subheading 3826.21 also covers articles of crocidolite.”