



HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

-
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O. Eng.

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POSSIBLE AMENDMENTS TO HEADING 90.30

(PROPOSAL BY THE US ADMINISTRATION)

(Item III.B.11 on Agenda)

I. BACKGROUND

1. On 11 January 2002, the Secretariat received the following Note from the **US** Administration proposing an amendment to simplify the structured nomenclature of heading 90.30.

II. PROPOSAL FROM THE US ADMINISTRATION FOR HEADING 90.30

2. "The **United States** submits the following proposals regarding heading 90.30.

Subheading 9030.20 : Elimination of references to cathode-ray technology

Subheading 9030.20

3. Replace the description for current subheading 9030.20 with :
"Oscilloscopes and oscillographs".
4. The current text of subheading 9030.20 refers only to oscilloscopes and oscillographs incorporating cathode-ray tubes. The subheading does not cover oscilloscopes and oscillographs that incorporate the newer flat panel displays.

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5. When the current text was developed, there was only one commercially marketable display device for these products : the cathode-ray tube (CRT). As a result of the evolution in imaging technology, CRTs are being replaced by flat panel displays in many applications, including oscilloscopes and oscillographs. One prominent manufacturer of these products has informed us that flat panel displays are already incorporated in 20 percent of the oscilloscopes they produce and the proportion is increasing.
6. The reference to “cathode-ray” oscilloscopes and oscillographs now has the unintended effect of limiting subheading 9030.20 to equipment that incorporates a particular type of display. Deletion of the reference to “cathode-ray” from the text will allow the subheading to capture oscilloscopes and oscillographs that incorporate any type of display.

Subheadings 9030.3 and 9030.83 : Elimination of distinction based on recording ability

Subheading 9030.3

7. Replace the description for this subheading with :

“Other instruments and apparatus, for measuring or checking voltage, current, resistance or power”.

Subheading 9030.83

8. Delete this subheading.
9. We propose to delete the reference to recording devices in heading 90.30, specifically by removing “without a recording device” from the description of subheading 9030.3 and by deleting subheading 9030.83.
10. The vast majority of instruments of heading 90.30 that are used for measuring or checking voltage, current, resistance and/or power, do *not*, in fact, contain a recording device. These instruments are generally handheld and would not typically contain an internal storage unit, flash memory card, etc. Where recording of data is desirable, it is becoming increasingly common to transmit measurements directly from the measuring device to a computer or other recording machine through a communications link.
11. We feel that grouping together all instruments and apparatus that measure and check similar phenomena will yield more useful statistics. Such apparatus with a recording function are typically traded by the same establishments that trade in those without such functions.
12. Furthermore, including the phrase “without a recording device” in subheading 9030.3 results in a burden on Customs officers to ascertain whether the particular instrument presented includes a recording device. Because only a few instruments of this type include a recording device, this burden seems unwarranted.

13. With our proposed revision of subheading 9030.3 and the deletion of subheading 9030.83, "Other, with a recording device" such products would fall in the respective subheadings of heading 90.30 describing kinds of apparatus, and in the residual category, subheading 9030.89. For example, subheading 9030.2 covers certain oscilloscopes and oscillographs. Subheading 9030.4 covers instruments designed for telecommunications. Subheading 9030.82 covers instruments for measuring or checking semiconductor wafers or devices."

III. SECRETARIAT COMMENTS

14. Based on the rationale and supporting information provided by the US Administration, the Secretariat could support the proposed new text for subheading 9030.20.
15. It is also the Secretariat's understanding that the vast majority of instruments of heading 90.30 that are used for measuring or checking voltage, current, resistance and/or power, do *not*, in fact, contain a recording device. The Secretariat also agrees with the US Administration's statements in paragraphs 10 and 11 and, as a consequence, could agree to its proposed new text, as set out in paragraphs 7 and 8 above.

IV. CONCLUSION

16. The Sub-Committee is invited to take into consideration the comments of the US Administration in paragraphs 2 to 12 and the Secretariat's comments in paragraph 13 and 14 when considering this agenda item.
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