

---

**To:** ICC and USCIB  
**From:** Richard Uschyk  
**Date:** 21 March 2008`  
**Subjects:** Report for the 41<sup>st</sup> HSC Session (March 5 – March 20, 2008)

**41st HSC Session**

Mr. Patrick Joffre (France) chaired the meeting and will step down after this meeting.

A new Chairperson and Vice-Chairs were selected for both the HSC and RSC. The new persons are:

Harmonized System Committee  
Chair Erwin Hurni – Switzerland  
Vice-Chair Yara Novis – Brazil  
2<sup>nd</sup> Vice-Chair Jose Jauregui – Mexico

Working Party Chair Yara Novis – Brazil

Review Sub-Committee  
Chair Raili Mantymaa – Finland  
Vice-Chair Yuan Ziwei - China

There are currently (19 February 2008) 133 Contracting Parties to the Harmonized System Convention. (132 Countries and 1 Customs and Economic Union).

The full report (NC1308B1a) will be circulated upon release by the WCO.

**The following items of interest for the High-Tech sector were covered at this session.**

- 1) NC1265E1a and NC1308B1a Classification Opinion Annex L Power Modules classified in Heading 8504 Subheading 40 by application of GRI's 1 and 6. Three changes were made in the definition of item 5. 1) vertically was deleted, 2) C-TVs was deleted and 3) (auxiliary power) was deleted.
- 2) NR0722E1c

C/8 and NC1262E1a - The discussion on the matter on print cartridges. By a vote of 16 to 4 the Committee decided to continue with the classification of printer cartridges. The U.S. delegate informed the committee that the time was not opportune in light of current litigation. A few took the floor indicating that this was a good reason to resolve the issue to prevent future litigation.

---

C/11 and F/10 Video Games – the text offered in Options 1 and 2 were left intact and will be reviewed again at the 37<sup>th</sup> RSC. If AeA members have any comments on the wording we will need to let U.S. Regulations and Rulings know.

D/7 and F/15 Transmission and NC1211E1a – No additional language was suggested. The text change proposed for the French only text was adopted.

D/8 and F/9 Video Games – Proposed text was adopted. 9504.60 reads Other games, operated by coin, banknotes, bank cards, tokens or by other means of payment, other than automatic bowling alley equipment.

E/4 and NC1262E1a Multi-component IC's – amendment to note 8(b) to chapter 85 to include Multi-component IC's. The committee decided to continue its study on a possible amendment. The 37<sup>th</sup> RSC in May will address this issue. See additional information later in this report.

E/5 and F/17 Recorded and unrecorded media 8523.40 - Committee approved insertion under Optical media 8523.41 Unrecorded and 8523.49 Other.

- 
- 3) NC1288E1a APC power distribution unit. The committee split this item into two items. Item 1 distribution unit without power cord - Classified in 8536.69. Item 2 distribution unit with power cord. Item 2 will be a matter for discussion at the next HSC meeting.
  - 4) NC1289E1a Sony PlayStation 3 – The committee classified the PlayStation 3 in heading 95.04 and Subheading 9504.10 the same as the Sony PlayStation 2. The Committee felt that the added features of the PS3 were not sufficient to classify it differently than the PS2 and that the PS3 was intended for entertainment purposes (game-playing).
  - 5) NC1189E1a + Annex and NC1259B1a Electronic waste –The Basel Secretariat has proposed the addition of ‘Activated Glass (Sensitized surface covered glass articles)’ plus high-tech waste in 84.43, 84.71, 85.41 and 85.42.

NC1259B1a contains the additional Subheadings proposed by the Basel Convention for headings 84, 85 and 90. The HSC requested additional time to review the new items and will revisit this item at its next Session (42<sup>nd</sup> Session September 2008)

ICC and USCIB members should review the above documents on Electronic Waste.

- 6) Meeting left for HS 2012 changes
  - 37<sup>th</sup> RSC May 2008 – Deadline for submitting documentation has passed (March 13, 2008)
  - 42<sup>nd</sup> HSC September 2008
  - 38<sup>th</sup> RSC November 2008
  - 43<sup>rd</sup> HSC March 2009Council Session – June 2009 approval of HS 2012 changes

On Wednesday 12 March the ICC organized an informal meeting between Industry and Custom Administrations for the purpose of discussing how to move the Multi-component IC issue forward. The meeting was very well attended with government representatives from 9 countries, 1 Economic Union (Australia, Canada, China, Denmark, EC, India, Japan, Korea, Mexico, United States) and 6 Trade Association representatives (SIA, JSIA, ESIA). The meeting had a very positive effect and the issue will be moved forward by both Industry and Government.

## **CONTACT**

Richard Uschyk  
ICC Representative to the WCO-HSC  
650-245-2650  
[richard.uschyk@sbcglobal.net](mailto:richard.uschyk@sbcglobal.net)