DATES AND DRAFT AGENDA OF THE THIRTY-FIFTH SESSION OF THE HARMONIZED SYSTEM COMMITTEE OF THE WORLD CUSTOMS ORGANIZATION


ACTION: Publication of the dates and draft agenda for the thirty-fifth session of the Harmonized System Committee of the World Customs Organization.

SUMMARY: This notice sets forth the dates and draft agenda for the next session of the Harmonized System Committee of the World Customs Organization.


SUPPLEMENTARY INFORMATION:

BACKGROUND

The United States is a contracting party to the International Convention on the Harmonized Commodity Description and Coding System (“Harmonized System Convention”). The Harmonized Commodity Description and Coding System (“Harmonized System”), an international nomenclature system, forms the core of the U.S. tariff, the Harmonized Tariff Schedule of the United States. The Harmonized System Convention is under the jurisdiction of the World Customs Organization (established as the Customs Cooperation Council).

Article 6 of the Harmonized System Convention establishes a Harmonized System Committee (“HSC”). The HSC is composed of representatives from each of the contracting parties to the Harmonized System Convention. The HSC’s responsibilities include issuing classification decisions on the interpretation of the Harmonized System.
Those decisions may take the form of published tariff classification opinions concerning the classification of an article under the Harmonized System or amendments to the Explanatory Notes to the Harmonized System. The HSC also considers amendments to the legal text of the Harmonized System. The HSC meets twice a year in Brussels, Belgium. The next session of the HSC will be the thirty-fifth, and it will be held from March 14, 2005 to March 24, 2005.

In accordance with section 1210 of the Omnibus Trade and Competitiveness Act of 1988 (Pub. L. 100–418), the Department of Homeland Security, represented by U.S. Customs and Border Protection, the Department of Commerce, represented by the Census Bureau, and the U.S. International Trade Commission ("ITC"), jointly represent the U.S. government at the sessions of the HSC. The Customs and Border Protection representative serves as the head of the delegation at the sessions of the HSC.

Set forth below is the draft agenda for the next session of the HSC. Copies of available agenda-item documents may be obtained from either Customs and Border Protection or the ITC. Comments on agenda items may be directed to the above-listed individuals.

Dated: January 26, 2005

Myles B. Harmon,
Director,
Commercial Rulings Division.

Attachment
HARMONIZED SYSTEM COMMITTEE

35th Session

Brussels, 18 January 2005

DRAFT AGENDA FOR THE 35th SESSION
OF THE HARMONIZED SYSTEM COMMITTEE

From : Monday, 14 March 2005 (11.00 a.m.)
To : Thursday, 24 March 2005

N.B. : Thursday, 10 March 2005 (10.00 a.m.) and Friday, 11 March 2005 : Pre-sessional Working Party (to examine the questions under Agenda Item VI)

Monday, 14 March 2005 (9.30 a.m. – 10.30 a.m.) : Adoption of the Report of the 30th Session of the Review Sub-Committee

I. ADOPTION OF THE AGENDA

1. Draft Agenda ................................................................. NC0895E1b
2. Draft Timetable .............................................................. NC0896B1a

II. REPORT BY THE SECRETARIAT

1. Position regarding Contracting Parties to the HS Convention and related matters ......................................................... NC0897E1a
2. Report on the last meeting of the Policy Commission (52nd Session) ................................................................. NC0896E1a
3. Approval of decisions taken by the Harmonized System Committee at its 34th Session ................................. NG0096E1 NG0093B1 NC0894E1a

4. Capacity building activities of the Nomenclature and Classification Sub-Directorate ........................................ NC0896E1a
5. Co-operation with other international organisations ................... NC0900E1a
6. New information provided on the WCO Web site ....................... NC0901E1a
NC0895E1b

7. Annual survey to determine the percentage of national revenue represented by Customs duties ................................................ NC0902E1a
8. Survey on Free Trade Agreements ........................................ NC0903E1a
9. Development of Correlation Tables ........................................ NC0904E1a
10. Draft corrigendum amendment to the Harmonized System ........ NC0905E1a
11. Preparation and timing of HS 2007 publications ....................... NC0906E1a
12. Status of the development of the non-preferential rules of origin . NC0907E1a
13. Other .............................................................................

III. GENERAL QUESTIONS

1. Possible amendment of Article 8 of the HS Convention with a view to removing the Council from its purely administrative role with regard to HS reservations, and to making the fast-track procedure the default reservation procedure .......................... NC0908E1a
2. A two-reservation limit being placed on reservations with respect to any one issue, thus avoiding reservation “ping-pong” .............. NC0909E1a
3. Study possibility of updating Council Resolution 5 July 1989 on the insertion in commercial invoices of the HS code numbers ...... NC0910E1a
4. Study on the possibility of amending the HS by application of Article 16.4 (a) .......................................................................................... NC0911E1a
5. Correlation between the Harmonized System and the product coverage of selected international Convention ............................. NC0923E1a

IV. REPORT OF THE SCIENTIFIC SUB-COMMITTEE

1. Report of the 20th Session of the Scientific Sub-Committee .......... NS0112E1a (SSC/20)
2. Matters for decision ............................................................. NC0912E1a

V. REPORT OF THE REVIEW SUB-COMMITTEE

1. Report of the 30th Session of the Review Sub-Committee ............ NR0542.F1A B1 (RSC/30)
2. Matters for decision ............................................................. NC0913E1a
3. Amendment of the Explanatory Note to reflect the actual wording of subheading 0210.9 .............................................................. NC0927E1a

2.
VI. REPORT OF THE PRESESSIONAL WORKING PARTY

1. Amendments to the Compendium of Classification Opinions to reflect the decision to classify separately candies presented with toys in subheadings 1704.90 and 9503.90, respectively .......................... NC0914E1a Annex A

2. Amendments to the Compendium of Classification Opinions to reflect the decision to classify "Brochum® Cough-Syrup" in subheading 2106.90 ........................................ NC0914E1a Annex B

3. Possible amendment of the Subheading Explanatory Note to subheading 2936.90 .................................................................. NC0914E1a Annex C

4. Amendments to the Compendium of Classification Opinions to reflect the decision to classify two photo albums in subheading 3926.90 ...................................... NC0914E1a Annex D

5. Amendments to the Compendium of Classification Opinions to reflect the decision to classify three types of flooring panels in subheading 4418.30 ................................ NC0914E1a Annex E

6. Amendments to the Compendium of Classification Opinions to reflect the decision to classify a certain type of footwear with outer sole of textile material in subheading 6405.20 ........................................ NC0914E1a Annex F

7. Amendments to the Compendium of Classification Opinions to reflect the decision to classify Polymeric PTC Thermistor Devices in subheading 8533.29 ........................................ NC0914E1a Annex G

8. Amendments to the Compendium of Classification Opinions to reflect the decision to classify a product by the name "Tki201" in heading 95.04 ................................................ NC0914E1a Annex H

9. Possible amendment of the Explanatory Note to heading 96.03 (Proposal by Canada) .................................................................. NC0914E1a Annex I

VII. FURTHER STUDIES

1. Possible amendment of the Explanatory Notes clarifying the classification of a product resulting from the inter-esterification of different vegetable oils, in heading 15.17 .......................... NS0008E1a NS0108E1a NS0110E1a NS0112E1a Annex A/4 (SSC/20)
2. Classification of liquid margarine
   NS010IE1a
   NS0112E1a
   Annex A/7
   (SSC/20)

3. Classification of a product by the name *Spinulina Pseudina*
   NS0102E1a
   NS0112E1a
   Annex A/8
   (SSC/20)

4. Classification of treated titanium dioxide (product submitted by
   the EU)
   NS0105E1a
   NS0112E1a
   Annex A/9
   (SSC/20)

5. Possible amendment of the Explanatory Notes to Chapter 29
   with a view to clarifying the classification of antibiotics
   NS0099E1a
   NS0112E1a
   Annex A/5
   (SSC/20)

6. Possible amendment of the Explanatory Notes to reflect the
   classification of a certain type of footwear with outer sole of
   textile material in subheading 6405.20
   NC0815E1a

7. Deleted

8. Possible amendment of the Explanatory Note to reflect the
   decision to classify water-jet cutting machines in heading 84.79
   NC0916E1a

9. Classification of set top boxes (request from WTO)
   NC0868E1
   (HSC/94)

10. Study aimed at determining whether or not there is a
    contradiction between the legal texts and exclusion (b) of the
    Explanatory Note to heading 95.04 (page 1917), arising from
    the classification of the SSR
    NC0917E1a

11. Classification of a product containing more than 99.2 % of
    sodium sulphate (Reservation by SUIT/R)
    NC0928E1a

NEW QUESTIONS

1. Classification of a liquid micronutrient preparation
   NC0883E1
   (HSC/94)

2. Classification of bio-diesel
   NS0106E1a
   NS0112E1a
   Annex A/10
   (SSC/20)

3. Classification of separately presented indoor and outdoor units of
   air conditioning systems
   NC0918E1a
4. Classification of reach stackers

5. Classification of an audio compact disc manufacturing system

6. Classification of graduated urinary drainage bags and meters

7. Possible amendment of the Explanatory Notes to headings 87.03 and 87.11 (Proposal by Turkey)

8. Classification of concentrated elderberry juice

9. Possible amendment of the Explanatory Note to heading 42.02 (Proposal by the EU)

10. Possible amendment of the Explanatory Notes to heading 73.12 and Section XVII (Proposal by the EU)

11. Possible amendment of the Explanatory Notes to headings 83.06 and 95.07 (Proposal by Canada)

12. Classification of dining room sets and similar furniture combinations

IX. ADDITIONAL LIST

1. Classification of Haygrove tunnel components

X. HS ARTICLE 16 RECOMMENDATION

XI. OTHER BUSINESS

1. List of questions which might be examined at a future session

XII. ELECTIONS

XIII. DATES OF NEXT SESSIONS
QUARTERLY IRS INTEREST RATES USED IN CALCULATING INTEREST ON OVERDUE ACCOUNTS AND REFUNDS ON CUSTOMS DUTIES

AGENCY: Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This notice advises the public of the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties. For the calendar quarter beginning January 1, 2005, the interest rates for overpayments will be 4 percent for corporations and 5 percent for non-corporations, and the interest rate for underpayments will be 5 percent. This notice is published for the convenience of the importing public and Customs and Border Protection personnel.

EFFECTIVE DATE: January 1, 2005.

FOR FURTHER INFORMATION CONTACT: Trong Quan, National Finance Center, Collections Section, 6026 Lakeside Boulevard, Indianapolis, Indiana 46278; telephone (317) 614-4516.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85-93, published in the Federal Register on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of customs duties must be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Section 6621 was amended (at paragraph (a)(1)(B) by the Internal Revenue Service Restructuring and Reform Act of 1998, Public Law 105-206, 112 Stat. 685) to provide different interest rates applicable to overpayments: one for corporations and one for non-corporations.

The interest rates are based on the Federal short-term rate and determined by the Internal Revenue Service (IRS) on behalf of the Secretary of the Treasury on a quarterly basis. The rates effective for a quarter are determined during the first-month period of the previous quarter.

In Revenue Ruling 2004-111, the IRS determined the rates of interest for the calendar quarter beginning January 1, 2005, and ending March 31, 2005. The interest rate paid to the Treasury for underpayments will be the Federal short-term rate (2%) plus three percentage points (3%) for a total of five percent (5%). For corporate overpayments, the rate is the Federal short-term rate (2%) plus two percentage points (2%) for a total of four percent (4%). For overpayments made by non-corporations, the rate is the Federal short-term
rate (2%) plus three percentage points (3%) for a total of five percent (5%). These interest rates are subject to change for the calendar quarter beginning April 1, 2005, and ending June 30, 2005.

For the convenience of the importing public and Customs and Border Protection personnel the following list of IRS interest rates used, covering the period from before July of 1974 to date, to calculate interest on overdue accounts and refunds of customs duties, is published in summary format.

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Dated: January 19, 2005

ROBERT C. BONNER,
Commissioner,
Customs and Border Protection.

[Published in the Federal Register, January 26, 2005 (70 FR 3725)]