DATES AND DRAFT AGENDA OF THE FIFTIETH SESSION OF THE HARMONIZED SYSTEM COMMITTEE OF THE WORLD CUSTOMS ORGANIZATION


ACTION: Publication of the dates and draft agenda for the fiftieth 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.

DATES: JUL 28, 2012


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.
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 fiftieth and it will be held from September 19, 2012 to September 28, 2012.

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.

IEVA K. O’ROURKE,  
Chief  
Tariff Classification and Marking Branch

Attachment
DRAFT AGENDA FOR THE 50TH SESSION OF THE HARMONIZED SYSTEM COMMITTEE

From: Wednesday, 19 September 2012 (11.00 a.m.)
To: Friday, 28 September 2012
N.B.: Monday, 17 September 2012 (10.00 a.m.) to Tuesday 18 September 2012: Presessional Working Party (to examine the questions under Agenda Item V)

Wednesday, 19 September 2012 (9:30 a.m. -10:30 a.m.): Adoption of the Report of the 43rd Session of the Review Sub-Committee

I. ADOPTION OF THE AGENDA

1. Draft Agenda

2. Draft Timetable

II. REPORT BY THE SECRETARIAT

1. Position regarding Contracting Parties to the HS Convention and related matters and progress report on the implementation of HS 2012

2. Report on the last meetings of the Policy Commission (67th Session) and the Council (119th/120th Sessions)

3. Approval of decisions taken by the Harmonized System Committee at its 49th Session

4. Capacity building activities of the Nomenclature and Classification Sub-Directorate

5. Co-operation with other international organizations

6. New information provided on the WCO Web site

7. Annual survey to determine the percentage of national revenue represented by Customs duties
8. Progress report on the use of working languages for HS matters

9. Other

III. GENERAL QUESTIONS

1. Future of the Harmonized System

2. Revised Revenue Package

3. New version of the HS Commodity Data Base: Electronic version of the HS Alphabetical Index and the Classification Decisions taken by the Harmonized System Committee

4. Classification Advice provided by the Secretariat (Request by Switzerland)

5. 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

IV. REPORT OF THE REVIEW SUB-COMMITTEE

1. Report of the 43rd Session of the Review Sub-Committee

2. Matters for decision

3. Classification of portable floor air conditioning units

V. REPORT OF THE PRESESSIONAL WORKING PARTY

1. Amendments to the Compendium of Classification Opinions to reflect the decision to classify a product named “HALVA Sesame Snack with Honey” in subheading 1704.90

2. Possible amendment to the Explanatory Note to heading 28.17

3. Amendments to the Compendium of Classification Opinions to reflect the decision to classify the product named “Nervinetas®” in subheading 3004.90

4. Possible amendment to the Explanatory Note to heading 35.07

5. Amendments to the Compendium of Classification Opinions to reflect the decision to classify the “PermaNet®” mosquito nets in subheading 6304.91

6. Amendments to the Compendium of Classification Opinions to reflect the decision to classify a ceiling type “split-system” air conditioner in subheading 8415.10

7. Possible amendment to the Explanatory Notes to clarify the classification of ceiling type “split-system” air conditioners

8. Amendments to the Compendium of Classification Opinions to reflect the decision to classify a “dissolution testing unit” in subheading 8419.89
9. Possible amendments to the Explanatory Notes to clarify criteria for distinguishing between “domestic” and “industrial” electro0mechanical machines

10. Amendments to the Compendium of Classification Opinions to reflect the decision to classify certain machines commercially referred to as “tablet computers” in subheading 8471.30

11. Possible amendments to the Explanatory Note to heading 84.73 to clarify the classification of mouse pads

12. Amendments to the Compendium of Classification Opinions to reflect the decision to classify “Micro/Mini SD cards” in subheading 8523.51

13. Possible amendments to the Explanatory Notes to Chapter 87 to reflect the decision on the application of General Interpretative Rule 2 (a) in respect of the classification of car-assembly sets

14. Amendments to the Compendium of Classification Opinions to reflect the decisions to classify certain types of three-wheeled vehicles in heading 87.04

15. Possible amendment to the Explanatory Notes to clarify the classification of three-wheeled vehicles

16. Amendments to the Compendium of Classification Opinions to reflect the decision to classify a product referred to as a “Cryotherapy chamber” in subheading 9018.90

VI. REQUESTS FOR RE-EXAMINATION (RESERVATIONS)

1. Re-examination of the “Classification of products containing more than 99.2 % sodium sulphate and more than 98.5 % sodium sulphate, respectively” (Request by the Russian Federation)

2. Re-examination of the “Classification of certain types of monitors referred to as 23.1-inch Maritime Multi Display (MMD) Model JH 23T14MMD” (Request by Norway)

3. Re-examination of the “Classification of packaged Insulated Gate Bipolar Transistors (IGBTs)” (Request by the EU)

4. Re-examination of the “Classification of the “Samsung Galaxy Tab” commercially referred to as a tablet computer” (Request by China)

VII. FURTHER STUDIES

1. Possible amendments to the Explanatory Note to heading 30.02

2. Classification of “cobalt manganese nickel hydroxide (CoMnNi(OH)_2)” used for lithium-ion batteries (Request by Japan)

3. Possible amendments to the Explanatory Notes in respect of the term “roes”

4. Classification of certain types of tripods (Request by the Secretariat)
5. Classification of “Xanthan Gum” (Request by India)  NC1735E1a  NC1784E1a
6. Classification of three types of monitors (Request by Peru)  NC1739E1a  NC1785E1a
7. Classification of the “separately presented photo fluorographic chamber Model KF-400” (Request by Kazakhstan)  NC1741E1a  NC1786E1a
8. Possible amendments to the Explanatory Notes to clarify the classification of the “HALVA Sesame Snack with Honey”  NC1787E1a
9. Possible criteria for distinguishing between certain products of Chapters 39 and 48 (Proposal by the Russian Federation)  NC1747E1a  NC1788E1a
10. Classification of a “heat and sound insulation material” (Request by Ukraine)  NC1748E1a  NC1789E1a
11. Classification of certain light-emitting diode (LED) lamps (Proposal by the EU)  NC1749E1a  NC1790E1a
12. Classification of a self-propelled rail welding machine (Vaia Car Spark-Rail model) (Request by the EU)  NC1752E1a  NC1791E1a
13. Classification of a “connecting link” (Request by the Secretariat)  NC1753E1a  NC1792E1a
14. Classification of self-propelled machinery (Request by the Russian Federation)  NC1757E1a  NC1793E1a

VIII. NEW QUESTIONS

1. Possible misalignment between Note 2 (a) (5) and the last paragraph of Note 4 to Chapter 59  NC1794E1a
2. Possible misalignment between the English and French versions of the Explanatory Note to heading 87.03 concerning the expression “les minibus de camping” (Request by the Secretariat)  NC1795E1a
3. Classification of water bottles for bicycles (Request by the Secretariat)  NC1796E1a
4. Classification of the product named “Xenical” (Request by Switzerland)  NC1797E1a
5. Classification of garments known as “Shalwar-Kameez” (Request by Sri Lanka)  NC1798E1a
6. Classification of a dog collar named “Kiltix®” (Request by the Secretariat)  NC1799E1a
7. Classification of certain types of peelers and graters for vegetables or fruit (Request by Switzerland)  NC1800E1a
8. Classification of roof-mounted cargo boxes for motor vehicles (Request by the Secretariat)  NC1801E1a
9. Classification of certain products named “Panaxea” (Request by South Africa)  NC1802E1a
10. Classification of a jar of coffee, a cup and a saucer put up for retail sale in a paperboard box (Request by Moldova) NC1803E1a

11. Classification of the product called “Dabur Hajmola” candy/tablets (Request by Pakistan) NC1804E1a

12. Classification of terracotta cladding elements (Request by the Secretariat) NC1805E1a

13. Classification of a charcoal starter (Request by the Secretariat) NC1810E1a

IX. ADDITIONAL LIST
1.

X. 50th SESSION OF THE HARMONIZED SYSTEM COMMITTEE

XI. OTHER BUSINESS
1. List of questions which might be examined at a future session NC1806E1a

XII. DATES OF NEXT SESSIONS

GRANT OF “LEVER-RULE” PROTECTION

AGENCY: Customs and Border Protection (CBP), Department of Homeland Security

ACTION: Notice of grant of “Lever-rule” protection.

SUMMARY: Pursuant to 19 CFR §133.2(f), this notice advises interested parties that CBP has granted “Lever-rule” protection to American Honda Motor Co., Inc.’s “Honda” trademark. Notice of the receipt of an application for “Lever-rule” protection was published in the April 4, 2012 issue of the Customs Bulletin.


SUPPLEMENTARY INFORMATION:

BACKGROUND

Pursuant to 19 CFR §133.2(f), this notice advises interested parties that CBP has granted “Lever-rule” protection for the following products: oil filters bearing the “Honda” trademark (CBP Rec. No. TMK 96–00727) that are intended for sale in the United States.

In accordance with the holding of Lever Bros. Co. v. United States, 981 F.2d 1330 (D.C. Cir. 1993), CBP has determined that the gray market oil filters differ physically and materially from their correlat-
ing oil filters authorized for sale in the United States with respect to the following product characteristics: structure, design, warranty, packaging, and labeling.

**ENFORCEMENT**

Importation of the Honda oil filters packaged and/or formulated for sale in other countries is restricted, *unless* the labeling requirements of 19 CFR §133.23(b) are satisfied.

Dated: August 20, 2012

CHARLES R. STEUART,
Chief
Intellectual Property Rights Branch

**ACCREDITATION AND APPROVAL OF AMSPEC SERVICES LLC, AS A COMMERCIAL GAUGER AND LABORATORY**

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

**ACTION:** Notice of accreditation and approval of Amspec Services LLC, as a commercial gauger and laboratory.

**SUMMARY:** Notice is hereby given that, pursuant to 19 CFR 151.12 and 19 CFR 151.13, Amspec Services LLC, 1300 North Delaware St., Paulsboro, NJ 08066, has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to cbp.labhq@dhs.gov. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.

DATES: The accreditation and approval of Amspec Services LLC, as commercial gauger and laboratory became effective on May 10, 2012. The next triennial inspection date will be scheduled for May 2015.


IRA S. REESE,
Executive Director.

[Published in the Federal Register, August 21, 2012 (77 FR 50522)]

ACCREDITATION AND APPROVAL OF AMSPEC SERVICES LLC, AS A COMMERCIAL GAUGER AND LABORATORY


ACTION: Notice of accreditation and approval of Amspec Services LLC, as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given that, pursuant to 19 CFR 151.12 and 19 CFR 151.13, Amspec Services LLC, 100B Redoubt Road, Unit 2, Yorktown, VA 23692, has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to cbp.labhq@dhs.gov. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.

DATES: The accreditation and approval of Amspec Services LLC, as commercial gauger and laboratory became effective on May 31, 2012. The next triennial inspection date will be scheduled for May 2015.


IRA S. REESE,
Executive Director.

[Published in the Federal Register, August 21, 2012 (77 FR 50523)]

APPROVAL OF SAYBOLT LP, AS A COMMERCIAL GAUGER


ACTION: Notice of approval of Saybolt LP, as a commercial gauger.

SUMMARY: Notice is hereby given that, pursuant to 19 CFR 151.13, Saybolt LP, 120 West Highway 30, Gonzales, LA 70737, has been approved to gauge petroleum, petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.13. Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger service this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to cbp.labhq@dhs.gov. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.


DATES: The approval of Saybolt LP, as commercial gauger became effective on May 2, 2012. The next triennial inspection date will be scheduled for May 2015.

FOR FURTHER INFORMATION CONTACT: Christopher Mocella, Laboratories and Scientific Services, U.S. Customs and

IRA S. REESE,
Executive Director,
Laboratories and Scientific Services.

[Published in the Federal Register, August 20, 2012 (77 FR 50145)]

ACCREDITATION AND APPROVAL OF COLUMBIA INSPECTION, INC., AS A COMMERCIAL GAUGER AND LABORATORY


ACTION: Notice of accreditation and approval of Columbia Inspection, Inc., as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given that, pursuant to 19 CFR 151.12 and 19 CFR 151.13, Columbia Inspection, Inc., 845 Marina Bay Parkway, Suite 8, Richmond, CA 94804, has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquires regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to cbp.labhq@dhs.gov. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.


DATES: The accreditation and approval of Columbia Inspection, Inc., as commercial gauger and laboratory became effective on October 12, 2011. The next triennial inspection date will be scheduled for October 2014.

FOR FURTHER INFORMATION CONTACT: Jonathan McGrath, Laboratories and Scientific Services, U.S. Customs and


IRA S. REESE,
Executive Director.

[Published in the Federal Register, August 23, 2012 (77 FR 51040)]

ACCREDITATION AND APPROVAL OF INSPECTORATE AMERICA CORPORATION, AS A COMMERCIAL GAUGER AND LABORATORY


ACTION: Notice of accreditation and approval of Inspectorate America Corporation, as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given that, pursuant to 19 CFR 151.12 and 19 CFR 151.13, Inspectorate America Corporation, 2184 Jefferson Hwy, Lutcher, LA 70071, has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquires regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to cbp.labhq@dhs.gov. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.


DATES: The accreditation and approval of Inspectorate America Corporation, as commercial gauger and laboratory became effective on September 28, 2011. The next triennial inspection date will be scheduled for October 2014.


IRA S. REESE,
Executive Director.

[Published in the Federal Register, August 23, 2012 (77 FR 51040)]

ACCREDITATION AND APPROVAL OF INSPECTORATE AMERICA CORPORATION, AS A COMMERCIAL GAUGER AND LABORATORY


ACTION: Notice of accreditation and approval of Inspectorate America Corporation, as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given that, pursuant to 19 CFR 151.12 and 19 CFR 151.13, Inspectorate America Corporation, 2947 Duttons Mill Road, Suite A–1, Aston, PA 19014, has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquires regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to cbp.labhq@dhs.gov. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.


DATES: The accreditation and approval of Inspectorate America Corporation, as commercial gauger and laboratory became effective on May 08, 2012. The next triennial inspection date will be scheduled for May 2015.

APPROVAL OF THE STRAWN GROUP, AS A COMMERCIAL GAUGER


ACTION: Notice of approval of The Strawn Group, as a commercial gauger.

SUMMARY: Notice is hereby given that, pursuant to 19 CFR 151.13, The Strawn Group, 3855 Villa Ridge, Houston, TX 77068, has been approved to gauge petroleum, petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.13. Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger service this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to cbp.labhq@dhs.gov. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.


DATES: The approval of The Strawn Group, as commercial gauger became effective on August 04, 2011. The next triennial inspection date will be scheduled for August 2014.


IRA S. REESE,
Executive Director,
Laboratories and Scientific Services.

[Published in the Federal Register, August 23, 2012 (77 FR 51041)]
APPROVAL OF INSPECTORATE AMERICA CORPORATION, AS A COMMERCIAL GAUGER


ACTION: Notice of approval of Inspectorate America Corporation, as a commercial gauger.

SUMMARY: Notice is hereby given that, pursuant to 19 CFR 151.13, Inspectorate America Corporation, 8367 Paris Ave., Baton Rouge, LA 70814, has been approved to gauge petroleum, petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.13. Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquires regarding the specific gauger service this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to cbp.labhq@dhs.gov. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.


DATES: The approval of Inspectorate America Corporation, as commercial gauger became effective on August 22, 2011. The next triennial inspection date will be scheduled for August 2014.


IRA S. REESE,
Executive Director,
Laboratories and Scientific Services.

[Published in the Federal Register, August 23, 2012 (77 FR 51041)]