



HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

NR0254E1

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25th Session
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O. Fr.

Brussels, 29 January 2002.

POSSIBLE AMENDMENTS OF SUBHEADING 8413.20

(PROPOSAL BY THE EC)

(Item III.B.12 on Agenda)

I. BACKGROUND

1. On 14 January 2002, the Secretariat received the following note from the EC concerning a proposal to amend the text of subheading 8413.20.

II. EC NOTE

"Subject : Amendment of the French text of HS subheading 8413.20

2. Present subheading 8413.20 reads as follows :

(English text) : "Hand pumps, other than those of subheadings 8413.11 or 8413.19."

(French text) : "Pompes à bras, autres que celles des n°s 8413.11 ou 8413.19."

3. The EC considers that there might be a lack of alignment between the French and English versions of the subheading. The French text would appear to refer to pumps with a lever whereas the English text refers simply to hand pumps whether or not fitted with a lever.

4. The EC would therefore suggest aligning the French subheading text on the English i.e., :

Proposal :

(French text) : "Pompes actionnées à la main, autres que celles des n°s 8413.11 ou 8413.19"

(English text) : *Text unchanged*

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III. SECRETARIAT COMMENTS

5. According to the Secretariat's files, the intention in drafting the French and English texts of subheading 8413.20 was to cover hand pumps in general.
6. The Secretariat therefore understands the concerns raised concerning the use of the expression "pompes à bras" since this may well be interpreted in two different ways in the French language :
 - The expression "pompes à bras" may refer to the structure of a certain type of pump wherein the mechanical structure comprises a hand-operated lever, i.e., mainly pumps with pistons belonging to the group of reciprocating positive displacement pumps.
 - The expression "pompes à bras" may be applied in common parlance to all types of hand pumps since the pumping action generally requires muscular strength generated by the arms ("bras" in French) in order for the mechanism to operate.
7. The Secretariat would also note that in the HS Nomenclature other expressions are used to refer to machines which are not power driven (e.g., hand - or foot - operated air pumps (subheading 8414.20), hand - or foot-operated mechanical appliances (heading 82.10).
8. On this basis, the Secretariat could accept the amendment proposed by the **EC** in order to ensure classification of all hand pumps for liquids in subheading 8413.20, provided they are not fitted with measuring devices or designed to be fitted with such devices.

IV. CONCLUSION

9. The Sub-Committee is invited to decide on the **EC** proposal to amend the French text of subheading 8413.20.
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