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FOURTH MEETING OF THE PARTIES TO THE
MONTREAL PROTOCOL ON SUBSTANCES THAT
DEplete THE OZONE LAYER

Copenhagen, 23-25 November 1992

THE REPORTING OF DATA BY THE PARTIES TO THE MONTREAL PROTOCOL
ON SUBSTANCES THAT DEplete THE OZONE LAYER

Report of the Secretariat

Addendum

HARMONIZED SYSTEM CODE NUMBERS FOR THE CONTROLLED AND TRANSITIONAL
SUBSTANCES UNDER THE MONTREAL PROTOCOL

1. The Harmonized Commodity Description and Coding System ("the Harmonized System") is a structured 6-digit multipurpose nomenclature developed by the Customs Co-operation Council (CCC) and designed to meet the principal requirements of customs authorities, statisticians, traders, carriers and producers. The international convention introducing the Harmonized System entered into force on 1 January 1988. Contracting Parties are obliged to ensure that their import customs tariffs and statistical nomenclatures for both imports and exports are in conformity with the Harmonized System. There are now almost 120 countries, accounting for over 90 per cent of world trade, which apply the System.

2. It will be recalled from the Secretariat's report on data reporting by the Parties (UNEP/OzL.Pro.4/6 and Corr.1, paras. 29-36) that, following a proposal by the First Meeting of the Parties, CCC adopted amendments to the Harmonized System, which would provide 10 new subheadings for the substances controlled by the Montreal Protocol (see annex 1). Recognizing that these new subheadings could not become effective for several years, CCC adopted a recommendation in June 1990 that its member administrations and Parties to the Harmonized System Convention should take all appropriate actions to insert into their national statistical nomenclatures an additional structure for the controlled substances listed in Annex A of the Montreal Protocol. The text of that recommendation is contained in annex 2 to the present report. Subsequently, following a request by the Second Meeting of the Parties to the Protocol, CCC adopted an amended recommendation in June 1992 to cover the substances listed in Annex B and Annex C, as well as Annex A, of the amended Protocol (see annex 3). However, for the reasons explained in the main report on data reporting (UNEP/OzL.Pro.4/6 and Corr.1, para. 32), this 1992 recommendation lists the transitional substances in Annex C collectively under one three-dash subdivision. Since these transitional substances may be used in large quantities after the phasing out of the currently controlled substances and may themselves become controlled substances in the near future, UNEP requested CCC to consider revising the recommendation so that all the transitional substances are listed individually.

3. The Harmonized System Committee considered the Secretariat's request on 12 October 1992 at its tenth session. Because of concerns about the possible changes to the list of transitional substances in Annex C in the foreseeable future, as well as some doubts about the ability of all countries, particularly

the developing countries, to monitor the movement of each transitional substance, the Committee decided to keep the 1992 Recommendation as it is for the time being. It should be noted that the 1992 Recommendation does not preclude any country which so prefers from listing all transitional substances individually in their national statistical nomenclatures by adding further subdivisions to the recommended HS subheading 2903.40.

4. Indeed, under the 1990 Recommendation, many countries have developed their own national statistical nomenclatures for the Annex A substances based on the recommended HS subheading 2903.40. This is done by adding further digits or characters to 2903.40. Annex 4 of the present document shows a few examples, including the system used by the European Economic Community (EEC).

5. New Zealand appears to have a very comprehensive tariff numbering system which uses 11 characters (see annex IV). The first six digits are based on the CCC recommendation, the next five characters are created by New Zealand for its own requirements. The national codes are made up of two numbers added to the HS structure, followed by a further two numbers and one letter to enable a statistical breakdown. Both pairs of added numbers may range from 01 to 99. The coding system used has been designed to ensure that the Department of Customs is in a position to identify these goods at the time of the importation and when relevant statistics are collected. It has the potential to add additional codes for other goods as and when they become subject to the provisions of the Montreal Protocol.

6. According to the Ministry of Environment of New Zealand, the New Zealand tariff code system is sound but suffers from two problems. First, it has not been able to establish the exact use of the mixtures of chemicals being imported. Secondly, it has been difficult to ensure that the information recorded is correct. Because most minor importers use an intermediate agent to actually import the chemicals, there is often not the expertise to identify the chemicals correctly and therefore give them the correct code. Hence, there has been a tendency to code things under "other" when there is often an appropriate code for them. Much of this problem stems from the fact that the trade names generally bear no relationship to the chemical names which are used in the tariff codes. New Zealand checks the accuracy of the information provided by the Customs Department through an informal survey of major importers. It also requests a breakdown of exactly what chemicals were imported under "CFCs Other" category.

7. The Meeting of the Parties may wish to decide to note the amended Customs Co-operation Council Recommendation of 25 June 1992 on the insertion in national statistical nomenclatures of subheadings to facilitate the collection and comparison of data on the international movement of substances covered by the Montreal Protocol on Substances that Deplete the Ozone Layer, and to urge all Parties to insert further subdivisions to the recommended Harmonized System subheadings so that imports and exports of each of the substances listed in the annexes to the Montreal Protocol, as well as each of the mixtures containing these substances, can be accurately monitored in order to facilitate reporting of data under Article 7 of the Protocol.

ARTICLE 16 PROCEDURE

AMENDMENTS TO THE LEGAL TEXTS :

CHAPTERS 29 AND 38

1. Subheading 2903.40.

Delete and substitute :

- Halogenated derivatives of acyclic hydrocarbons
containing two or more different halogens :

- 2903.41 -- Trichlorofluoromethane
- 2903.42 -- Dichlorodifluoromethane
- 2903.43 -- Trichlorotrifluoroethanes
- 2903.44 -- Dichlorotetrafluoroethanes and
chloropentafluoroethane
- 2903.45 -- Other derivatives perhalogenated only with
fluorine and chlorine
- 2903.46 -- Bromochlorodifluoromethane,
bromotrifluoromethane and
dibromotetrafluoroethanes
- 2903.47 -- Other perhalogenated derivatives
- 2903.49 -- Other.

2. New subheadings 3823.71 and 3823.79.

Insert the following new subheadings 3823.71 and 3823.79 :

- Mixtures containing perhalogenated derivatives
of acyclic hydrocarbons containing two or more
different halogens :

- 3823.71 -- Containing acyclic hydrocarbons perhalogenated
only with fluorine and chlorine
- 3823.79 -- Other.

x

x x

**RECOMMENDATION
OF THE CUSTOMS CO-OPERATION COUNCIL
ON THE INSERTION IN NATIONAL
STATISTICAL NOMENCLATURES OF SUBHEADINGS TO
FACILITATE THE COLLECTION AND COMPARISON OF DATA
ON THE INTERNATIONAL MOVEMENT OF SUBSTANCES
CONTROLLED BY THE MONTREAL PROTOCOL ON SUBSTANCES
THAT DEplete THE OZONE LAYER**

(26 June 1990)

THE CUSTOMS CO-OPERATION COUNCIL,

CONSIDERING the urgent need to monitor the international trade in substances that deplete the ozone layer,

NOTING the request by the United Nations Environment Programme to introduce specific subheadings in the Harmonized System in order to facilitate the collection and comparison of data on the international movement of substances controlled by the Montreal Protocol on Substances that Deplete the Ozone Layer,

RECOGNIZING that amendments to the Harmonized System Convention cannot be implemented for several years,

RECOMMENDS that Member administrations and Contracting Parties to the Harmonized System Convention take all appropriate actions to insert the following additional structure in their statistical nomenclatures, as soon as possible:

Subheading 2903.40 of the Harmonized System

- ... Trichlorofluoromethane
- ... Dichlorodifluoromethane
- ... Trichlorotrifluoroethanes
- ... Dichlorotetrafluoroethanes and chloropentafluoroethane
- ... Other derivatives perhalogenated only with fluorine and chlorine
- ... Bromochlorodifluoromethane, bromotrifluoromethane and dibromotetrafluoroethanes
- ... Other perhalogenated derivatives

Subheading 3823.90 of the Harmonized System

- ... Mixtures containing perhalogenated derivatives of acyclic hydrocarbons containing two or more different halogens:
 - ... Containing acyclic hydrocarbons perhalogenated only with fluorine and chlorine
 - ... Other,

and

REQUESTS Member administrations and Contracting Parties to the Harmonized System Convention to notify the Secretary General of their acceptance of this Recommendation and of the date of its application.

RECOMMENDATION
OF THE CUSTOMS CO-OPERATION COUNCIL
ON THE INSERTION IN NATIONAL
STATISTICAL NOMENCLATURES OF SUBHEADINGS TO
FACILITATE THE COLLECTION AND COMPARISON OF DATA
ON THE INTERNATIONAL MOVEMENT OF SUBSTANCES
COVERED BY THE MONTREAL PROTOCOL ON SUBSTANCES
THAT DEplete THE OZONE LAYER, AS AMENDED

(25 June 1992)

THE CUSTOMS CO-OPERATION COUNCIL,

CONSIDERING the urgent need to monitor the international trade in substances that deplete the ozone layer,

NOTING the requests by the United Nations Environment Programme to introduce specific subheadings in the Harmonized System in order to facilitate the collection and comparison of data on the international movement of substances controlled by the Montreal Protocol on Substances that Deplete the Ozone Layer,

NOTING further that the Montreal Protocol has been amended to cover additional substances,

RECOGNIZING that amendments to the Harmonized System Convention cannot be implemented for several years,

RECOMMENDS that Member administrations and Contracting Parties to the Harmonized System Convention take all appropriate actions to insert the following additional structure in their statistical nomenclatures, as soon as possible :

Subheading 2903.19 of the Harmonized System

--- 1,1,1-Trichloroethane (methyl chloroform)

Subheading 2903.40 of the Harmonized System

- Trichlorofluoromethane
- Dichlorodifluoromethane
- Chlorotrifluoromethane
- Pentachlorofluoroethane
- Tetrachlorodifluoroethanes
- Trichlorotrifluoroethanes
- Dichlorotetrafluoroethanes and chloropentafluoroethane
- Heptachlorofluoropropanes
- Hexachlorodifluoropropanes
- Pentachlorotrifluoropropanes
- Tetrachlorotetrafluoropropanes
- Trichloropentafluoropropanes
- Dichlorohexafluoropropanes
- Chloroheptafluoropropanes
- Other derivatives perhalogenated only with fluorine and chlorine
- Bromochlorodifluoromethane, bromotrifluoromethane and dibromotetrafluoroethanes
- Other perhalogenated derivatives
- Other derivatives of methane, ethane or propane halogenated only with fluorine and chlorine

Subheading 3823.90 of the Harmonized System

- Mixtures containing perhalogenated derivatives of acyclic hydrocarbons containing two or more different halogens :
- Containing acyclic hydrocarbons perhalogenated only with fluorine and chlorine
- Other,

and

REQUESTS Member administrations and Contracting Parties to the Harmonized System Convention to notify the Secretary General of their acceptance of this Recommendation and of the date of its application.

x

x

x

Table 1. National statistical nomenclatures used by various countries and the EEC to control the Annex A substances of Montreal Protocol

	Canada	U.S.A.	New Zealand	Germany	Japan	EEC
CFC-11	2903.40.19	2903.40.159	2903.40.00.03C	2903.4010.0000	2903.40.0113	2903.40.10
CFC-12	2903.40.11	2903.40.159	2903.40.00.12B	2903.4020.0000	2903.40.0124	2903.40.20
CFC-113	2903.40.21	2903.40.202	2903.40.00.22K	2903.4030.0000	2903.40.0135	2903.40.30
CFC-114	2903.40.29	2903.40.104	2903.40.00.32G	2903.4040.0000	2903.40.0146	2903.40.40
CFC-115	2903.40.29	2903.40.202	2903.40.00.39D	2903.4050.0000	2903.40.0150	2903.40.50
Halon 1211	2903.40.90	2903.40.257	2903.40.00.52A	2903.4091.0000	2903.40.0216	2903.40.91
Halon 1301	2903.40.30	2903.40.257	2903.40.00.61L	2903.4080.0000	2903.40.0220	2903.40.70
Halon 2402	2903.40.90	2903.40.257	2903.40.00.71H	2903.4080.0000	2903.40.0231	2903.40.80