



SCIENTIFIC SUB-COMMITTEE
-
14th Session
-

42.194 E
(+ Annex)

O. Eng.

SC-3

Brussels, 18 January 1999 .

POSSIBLE AMENDMENT OF HEADING 25.18

(Item II.4 on Agenda)

Reference documents :

- 19.449 Annex XVIII (Technical Team)
- 21.046 (NC/33)
- 21.150 Annexes K/32 and P/3 (NC/33 - Report)
- 40.030 (HSC/17)
- 40.260 Annex C/3, para. 4 (HSC/17 - Report)
- 40.081 (RSC/13)
- 40.180 Annexes C/18 and H/14 (RSC/13 - Report)
- 40.039 (HSC/17)
- 40.260 Annexes E/1 (para. 56), M/13 and N/14 (HSC/17 - Report)
- 40.434 (HSC/18)
- 40.600 Annex H/5 (HSC/18 - Report)
- 40.802 (SSC/12)
- 40.870 Annex A/15 (SSC/12 - Report)
- 41.666 (SSC/13)
- 41.690 Annex A/6 (SSC/13 - Report)
- 42.018 (HSC/21)
- 42.100 Annex E/1, para. 10 (HSC/21 - Report)

I. BACKGROUND

1. Concerning the possible alignment of the English and French texts of heading 25.18 and its subheadings, the Sub-Committee (13th Session) concluded as follows :

File No. 2595

For reasons of economy, documents are printed in limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

- (a) It would be appropriate to align the English texts of heading 25.18 and subheadings 2518.10 and 2518.20 on the French texts by inserting the term “sintered”. In addition, it was also appropriate to amend the Explanatory Note to this heading to clarify its scope, taking into account the suggestion by the U.S. Delegate (see paragraph 12 below);
- (b) The expression “pisé de dolomite” should be retained in the French texts. The expression “agglomerated dolomite (including tarred dolomite)” in the English texts of heading 25.18 and subheading 2518.30 had to be aligned with the French texts. The Secretariat was asked to prepare appropriate texts to reflect the fact that the products covered by subheading 2518.30 were made of sintered dolomite and were in powder (or granular) form as understood by the French text “pisé de dolomite”;
- (c) Non-calcined dolomite could not be used as a refractory material. In this connection, the French version of the last sentence of the third paragraph of the Explanatory Note to heading 25.18 had to be amended accordingly.

2. Finally, the Sub-Committee agreed to re-examine the whole question at its next session on the basis of a new document with draft amendments to the legal texts and Explanatory Notes to be prepared by the Secretariat taking into account the above conclusions. Administrations were invited to submit comments and proposals for amending the legal texts and Explanatory Notes to the Secretariat during the intersession.

II. NOTE FROM THE GERMAN ADMINISTRATION

3. The Secretariat on 4 March 1998 invited administrations to submit their comments and proposals concerning the matter. On 9 July 1998, the Secretariat received the following note from the German Administration.
4. “...After consulting the experts in industry, we would like to propose an amendment of the Explanatory Notes of heading 25.18 to clarify the scope of the terms related to dolomite.
5. Commercially, dolomite is subjected to two distinct heating processes. The first process consists of heating the dolomite to a temperature between 700 °C and 1000 °C. This process corresponds to the term “calcined” (“calcinée” in French) in the Explanatory Notes. This heating process releases carbon dioxide from the dolomite and converts it into magnesium and calcium oxides. This conversion usually begins at 700 °C and is complete at 1000 °C.
6. The second process is where the material is heated to temperatures in excess of 1000 °C. At these temperatures recrystallisation combined with grain growth takes place. This results in an increase in the density and the degree of order as well as a decrease in pore volume of the material. The optimum temperature range for this process is 1700 °C to 1900 °C. The product from this process is called “sintered dolomite” and can be used as a refractory material. Sintered dolomite is rather hygroscopic material.
7. Sintered dolomite can be used as a furnace lining. It is processed by crushing sintered dolomite to a particular particle size range and then combining it with special binders (e.g., tar, resins). These are speciality products and have different formulations depending on use. They are called “dolomitstampmasse” in German or “pisé de dolomite”

in French. According to German specialists the equivalent English term would be “dolomite ramming mix”.

8. The term “agglomerated dolomite (including tarred dolomite)” has according to these specialists a broader interpretation and does not specifically cover the products described above.
9. There is no major risk of confusing dolomite ramming mixes with refractory mortars and concrete of heading 38.16, because, although these products are based on dolomite, they always contain in addition to dolomite hydraulic binders (e.g., cements or lime) whether or not with added clay or other additives.
10. We would thus propose amending the Explanatory Note to heading 25.18 by replacing the text of the third paragraph with the following text :

“This heading includes dolomite ramming mixes, which are used as refractory materials (e.g., for furnace lining). These products are traded as “plastic” masses, consisting predominantly of crushed sintered dolomite. Depending on the field of application or temperature at which the mix will be used, different binding agents (e.g., tar, pitch) or other additives may be used.

This heading does not cover certain preparations with a basis of sintered dolomite and hydraulic binders (e.g., cements or lime), whether or not with the addition of clay or other additives (heading 38.16).”...”.

III. SECRETARIAT COMMENTS

11. Taking account of the instructions of the Sub-Committee (13th Session) and the submission by the German Administration, the Secretariat drafted amendments to the legal texts and the Explanatory Notes. These are set out in the Annex to this document.

Alignment of the English texts of heading 25.18 and subheadings 2518.10 and 2518.20 on the French texts by inserting the term “sintered”

12. The Delegate of the US at the 13th Session had explained that processing of dolomite involved three levels : non-calcined dolomite, calcined dolomite (around 900 °C) and sintered dolomite (around 1700 °C to obtain refractory material). To avoid any complication regarding the meaning of the terms “calcined” and “sintered”, the Explanatory Note to heading 25.18 could possibly be amended by explicitly referring to these processing levels. The information provided by the German Administration (see paragraphs 5 and 6 above) are in line with this explanation.

Alignment of the expression “agglomerated dolomite (including tarred dolomite)” in the English texts on the basis of the French text “pisé de dolomie”

13. Germany indicates that sintered dolomite can be used as a refractory material (e.g., for furnace lining) after crushing it to a particular particle size range and then combining it with special binders (e.g., tar, resins). As such, it is called “dolomitstampfmasse” in German or “pisé de dolomie” in French and the equivalent English expression would be “dolomite ramming mix” (see paragraphs 7 and 8 above).

14. In this connection, the Secretariat would like to draw the attention of the Sub-Committee to the Explanatory Note to heading 38.16 (page 576). According to the first paragraph thereof, "...the heading covers certain preparations (e.g., for furnace lining) with a basis of such refractory materials as...calcined dolomite, with an added binder (for example, sodium silicate, magnesium or zinc fluosilicates)". Also, "ramming mixes" are covered by item (b) of the third paragraph. The equivalent expressions used in the French version of the Explanatory Notes is "Les mélanges de damage". It appears that there is a considerable similarity between "dolomitstampfmasse" (or "pisé de dolomie") and the preparations of heading 38.16, the only difference being the binders used (tar, pitch or resins in the former and silicate products in the latter).
15. The Secretariat has, therefore, concerns about using the expression "ramming mix" in the English texts due to the possibility of confusion to distinguish between the products falling in heading 25.18 and those falling in heading 38.16. The Secretariat's preference in this regard is to use its original proposal "dolomite mixed with binders" in the English texts, as equivalent to "Pisé de dolomie" in the French texts. Both options are placed in square brackets in the texts proposed (see Annex).
16. At the 13th Session, the Delegate of France had explained that "pisé de dolomie" referred to calcined or sintered dolomite mixed with binders and was in "powder" form. The Sub-Committee agreed to refer to powder or granular form (see paragraph 1 (d) above). In the second sentence of the first paragraph of its proposal for amendment of the third paragraph of the Explanatory Note to heading 25.18, Germany states that "...these products are traded as "plastic" masses, consisting predominantly of crushed sintered dolomite" (see paragraph 10 above). It appears that Germany does not regard "pisé de dolomie" as products in powder or granular form. However, the scope of the expression "plastic masses" is also not clear. The German Administration is requested to clarify its intention. The Secretariat has placed both options in square brackets in the Annex.
17. Another point of consideration is the scope of the expression "other additives" mentioned by Germany at the end of the first paragraph of its proposal (see paragraph 10 above). The Secretariat is uncertain as to what these additives are and whether they might render "crushed calcined or sintered dolomite" a product of heading 38.16. Pending clarification by Germany, the Secretariat has placed this expression in square brackets in the Annex.
18. Finally, the Secretariat would like to inform the Sub-Committee that the Harmonized System Committee at its 17th Session had examined a proposal from the Review Sub-Committee concerning the replacement of the semi-colon immediately following the word "calcined" by a comma and the word "including" in the first line of the text of heading 25.18 so as to read :

(English version)

“25.18 Dolomite, whether or not calcined, including dolomite roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape; agglomerated dolomite (including tarred dolomite).”

(French version)

“25.18 Dolomie, même frittée ou calcinée, y compris la dolomie dégrossie ou simplement débitée, par sciage ou autrement, en blocs ou en plaques de forme carrée ou rectangulaire; pisé de dolomie.”

19. The Committee had agreed to defer a final decision on this question so as to take into account of the possible misalignment of the present texts referred to the Scientific Sub-Committee. The proposed legal text and Explanatory Note amendments (Article 16 procedure) were kept in square brackets in Annexes M/13 and N/14 to Doc. 40.260 (HSC/17 - Report), respectively. The above text is also incorporated in the Annex to this document, after modifying the part concerning "agglomerated dolomite" (see paragraph 15 above).

IV. CONCLUSION

20. The Sub-Committee is invited to examine the draft amendments to the Nomenclature and the Explanatory Notes set out in the Annex to this document, taking into account the note from the German Administration and the Secretariat's observations above.

x

x x

ANNEXE

ANNEX

POSSIBLE AMENDMENTS TO THE NOMENCLATURE AND
EXPLANATORY NOTES CONCERNING HEADING 25.18

(See Item II.4 on the Agenda)

PROCEDURE DE L'ARTICLE 16
AMENDEMENT DE LA NOMENCLATURE

CHAPITRE 25.

1. N° 25.18.

Nouvelle rédaction :

“25.18 Dolomie, même frittée ou calcinée, y compris la dolomie dégrossie ou simplement débitée, par sciage ou autrement, en blocs ou en plaques de forme carrée ou rectangulaire; pisé de dolomie.”

2. N°s 2518.10 à 2518.30.

Texte anglais seulement.

PROCEDURE DE L'ARTICLE 16
MODIFICATIONS DES NOTES EXPLICATIVES

CHAPITRE 25.

Page 204. N° 25.18.

1. Libellé.

Nouvelle rédaction :

“25.18 DOLOMIE, MEME FRITTEE OU CALCINEE, Y COMPRIS LA DOLOMIE DEGROSSIE OU SIMPLEMENT DEBITEE, PAR SCIAGE OU AUTREMENT, EN BLOCS OU EN PLAQUES DE FORME CARREE OU RECTANGULAIRE; PISE DE DOLOMIE.”

ARTICLE 16 PROCEDUREAMENDMENT TO THE NOMENCLATURECHAPTER 25.1. Heading 25.18.

Delete and substitute :

“25.18 Dolomite, whether or not calcined or sintered, including dolomite roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape; [dolomite ramming mix] [sintered dolomite mixed with binders].”

2. Subheadings 2518.10 to 2518.30.

Delete end substitute :

“2518.10 - Dolomite, not calcined or sintered

2518.20 - Calcined or sintered dolomite

2518.30 - [Dolomite ramming mix] [Sintered dolomite mixed with binders]”.

ARTICLE 16 PROCEDUREAMENDMENT TO THE EXPLANATORY NOTESCHAPTER 25.Page 204. Heading 25.18.1. Heading text.

Delete and substitute :

“25.18 - DOLOMITE, WHETHER OR NOT CALCINED OR SINTERED, INCLUDING DOLOMITE ROUGHLY TRIMMED OR MERELY CUT, BY SAWING OR OTHERWISE, INTO BLOCKS OR SLABS OF A RECTANGULAR (INCLUDING SQUARE) SHAPE; [DOLOMITE RAMMING MIX] [SINTERED DOLOMITE MIXED WITH BINDERS].”

Annexe au doc. 42.194 f
(SCS/14/févr. 99)

2. N°s 2518.10 à 2518.30.

Texte anglais seulement.

3. Deuxième et troisième paragraphes.

Nouvelle rédaction :

4. Dernier paragraphe. Exclusions.

Nouvelle rédaction :

2. Subheadings 2518.10 to 2518.30.

Delete and substitute :

“2518.10 - **Dolomite, not calcined or sintered**

2518.20 - **Calcined or sintered dolomite**

2518.30 - [**Dolomite ramming mix**] [**Sintered dolomite mixed with binders**]”.

3. Second and third paragraphs.

Delete and substitute :

“The heading covers crude dolomite as well as calcined and sintered dolomite. Dolomite is calcined at a temperature range of 700 °C – 1000 °C to convert it into magnesium and calcium oxides by releasing carbon dioxide. On the other hand, sintered dolomite is obtained by heating dolomite to a temperature range of 1700 °C – 1900 °C when it becomes a refractory material. The heading also includes dolomite which has been roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape.

This heading further includes [dolomite ramming mixes] [sintered dolomite mixed with binders] which are used as refractory materials (e.g., for furnace lining). These products are traded [as “plastic” masses] [in powder or granular form] consisting predominantly of crushed sintered dolomite. Depending on the field of application or temperature at which the mix will be used, different binding agents (e.g., tar, pitch, resins) [or other additives] may be used.”

4. Last paragraph. Exclusions.

Delete and substitute :

“The heading **does not cover** :

- (a) Crushed dolomite for concrete aggregates, road metalling or railway ballast (**heading 25.17**).
 - (b) Refractory preparations based on dolomite with the addition of hydraulic binders (e.g., cements, lime), whether or not containing clay (**heading 38.16**).”
-