

GOVERNMENT OF PAKISTAN  
COLLECTORATE OF CUSTOMS (APPRAISEMENT)  
CUSTOM HOUSE, KARACHI

No.CC-06/06(A)

21st June, 2006

PUBLIC NOTICE NO. 12 / 2006(A)

Subject: CLASSIFICATION OF EXXSOL DSP 80/100 HYDROCARBON FLUID

M/s Masood Aziz Associates, Karachi made a reference to Classification Centre for classification of product namely "Exxsol. DSP 80/100 Hydrocarbon Fluid" supplied by M/s Exxon Mobil Chemicals, Singapore to M/s ICI Pakistan Limited. According to the importers the product is correctly classifiable under heading 2710.1190 whereas the Oil Section of Preventive Collectorate intends to classify it under heading 2710.1999.

2. The meeting of Classification Committee was held on 11-05-2006. The following attended the meeting:-

- |                                 |                                                       |
|---------------------------------|-------------------------------------------------------|
| (01) Mr. Muhammad Siddique      | Additional Collector of Customs Appraisement-I        |
| (02) Mr. Masood Aziz            | Consultant M/s Masood Aziz Associates                 |
| (03) Mr. Javed Iqbal Butt       | Deputy Collector                                      |
| (04) Mr. Shahid Rizvi           | Principal Appraiser (Gr.V)                            |
| (05) Mr. Shafiullah             | Principal Appraiser (Gr.III)                          |
| (06) Mr. Muzaffar Ali           | Principal Appraiser (Gr.II)                           |
| (07) Mr. Shaheen Farooq         | Principal Appraiser (Gr.I)                            |
| (08) Mr. Mahmood-ur-Rehman Baig | Principal Appraiser (AFU)                             |
| (09) Mr. Abdul Rehman Kurd      | Principal Appraiser Port Qasim                        |
| (10) Mrs. Raheeta Fadar         | Assistant Chemical Examiner of the Customs Laboratory |
| (11) Mr. Azam Bilal Habib       | Development Manager ICI                               |

-: (2) :-

3. The manufacturer's literature provided by Mr. Masood Aziz and the Customs Laboratory test report No. Lab/BOP/8/24/12 dated 24.01.2005 gives the following composition and properties of the product:

a) Specifications as per manufacturer's literature i.e.

Properties	Test Methods	Units	Lower Values	Upper Values
Appearance	Visual		Bright & Clear	Bright & Clear
Aromatics content	GC Analysis	Wt%	-	0.1
Benzene content	UV Analysis	Wt%	-	0.1
Colour	ASTM D156	Saybolt	+30	-
Distillation range	ASTM D1078	Deg. Cent		
Initial boiling point			74	-
Dry point				120
Non-volatile matter	ASTM D1353	MG/100 ML	-	5
Total sulphur content	ASTM D3120/D5453	Wppm	-	1

COMPOSITION / INFORMATION ON INGREDIENTS

S.No.	HAZARDOUS COMPONENTS	Wt%
01.	N-HEXANE 110-54-3	15.0-20.0
02.	HEPTANE AND ISOMERS	32.0-36.0
03.	CYCLOHEXANE 110-82-7	25-27.0

b) Specifications as per Customs Laboratory Test Report literature i.e.

State	Colorless Liquid
Odor	Mineral Odor
Solubility	Insoluble in water
Sp.gravity at 15 deg. centi.	0.1790 (AST D-1298)
Distillation Range	72-86 deg. centi (ASTM D-86)
Flash Point	Below 0 deg. Centi.
Chemical Nature	Predominantly aliphatic hydrocarbons

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In view of the above test results, the sample is found to be a mixture of fraction mineral hydrocarbons solvent containing essentially of aliphatic hydrocarbons.

Description Found: Mixture of light fraction mineral hydrocarbons, predominantly of aliphatic.

Suggested H.S.No. 2710.1190

4. Importer's representative argued that:

- i) Literature as well as Customs Laboratory confirmed that the product is comprised of aliphatic hydrocarbons and which attracts classification under heading 27.10.
- ii) The UK Customs Tariff describes other light oils are classifiable under heading 2710.1190.

5. The crux of the issue is whether the goods are classifiable under heading 27.10 and if so whether they fall in the category of "Light Oil and Preparations". The Committee noticed that heading 27.10 has been divided as below under the Harmonized System:

27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils
	Petroleum oils and oils obtained from bituminous minerals (other than crude) and preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; other than waste oils:
	Light oils and preparations:
2710.1110	Motor Spirit
2710.1120	Aviation Spirit
2710.1130	Spirit type jet fuel
2710.1140	White spirit
2710.1150	Solvent oil (con composite)



- : (4) : -

2710.1190	--- Other
	-- Other:
	--- Kerosene, including kerosene type jet fuel:
2710.19011	---- Kerosene
2710.1912	---- J.P.1
2710.1913	---- J.P.4
2710.1919	---- Other
	--- Other medium oils and preparations:
2710.1921	---- Light diesel oil
2710.1929	---- Other
	--- Gas oils:
2710.1931	---- High speed diesel oil
2710.1939	---- Other
	--- Fuel oils:
2710.1941	---- Furnace-oil
2710.1942	---- Petroleum top naptha
2710.1949	---- Other
	--- Lubricating oil, i.e., oil such as is not ordinarily used for any other purpose than lubrication, which has flash point at or above 200 F by Abel's Close Test:
2710.1951	---- In packs not exceeding 10 liters
2710.1952	---- In packs exceeding 10 liters
2710.1953	---- In bulk (vessels, bouzers, lorries etc)
	--- Other:
2710.1991	---- Mineral oil which has flash point at or above 200 F and is ordinarily used for the batching of jute or other fibre.
2710.1992	---- Mineral greases
2710.1993	---- Base oil for lubricating oils of subheadings 2710.0081 & 2710.0082
2710.1994	---- Brake fluid
2710.1995	---- Liquid paraffin
2710.1996	---- White oil
2710.1997	---- Transformer oil
2710.1998	---- Spin finish oil
2710.1999	---- Others
	- Waste Oil:
2710.9100	-- Containing polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs)
2710.9900	-- Other

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6. From the perusal of manufacturer's literature and customs laboratory test report, it is evident that the product is essentially a mixture of aliphatic hydrocarbon. Therefore, the goods attract classification under heading 27.10 by virtue of term of this heading and Note 2 to Chapter 27.

7. The goods being other than "waste oil" fall outside the ambit of single dash such heading "Waste Oil" and fall for classification in the first single dash heading "*Petroleum oils and oils obtained from bituminous minerals (other than crude) and preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; other than waste oils*"

8. In order to examine whether the product is classifiable under the double dash heading (--) 2710.11 meant for "Light Oils and Preparations" or double dash heading 2710.19 (--) "Other", sub-heading Note 4 to heading 2710.11 is of vital significance, the same is reproduced below for ease of reference.

*"For the purpose of sub-heading 2710.11 Light Oil and Preparations are those of which 90% or more by volume (including losses) and distill at 210°C (ASTM D 86 method)."*

9. The manufacturer's literature indicates distillation range of the product between 74 to 120° C. The customs laboratory determined distillation range from 72-85° C. It leads to inference that the product qualifies for the provisions of sub-heading Note 4 above and falls in the category of "light oils and preparations". Therefore, the goods attract classification under the HS heading 2710.11 (--) and not under heading 2710.19 (-).

- : (6) :-

10. Since the goods are not classifiable under heading 2710.19 (--) "Other", the same can not be classified in its further sub-divided three dash (---) sub-heads or four dash (----) sub-heads of the Pakistan Customs Tariff. As such classification under heading 2710.1999 is ruled out.

11. The HS two dash heading "2710.1100 (--) has been sub-divided in the Pakistan Customs Tariff as below:

-- Light oils and preparations:  
 2710.1110 ---Motor Spirit  
 2710.1120 ---Aviation Spirit  
 2710.1130 ---Spirit Type Jet Fuel  
 2710.1140 ---White Spirit  
 2710.1150 ---Solvent Oil (non composite)  
 2710.1190 --- Other

12. The product under reference falling in the category of "Light Oil & Preparation" are different than the other light oil and preparations i.e. motor spirit (2710.1110), aviation spirit (2710.1120), spirit type jet fuel (2710.1130), white spirit if (2710.1140) and solvent oil (non-composite) (2710.1150) and, therefore, the same is appropriately classifiable under sub-heading 2710.1190 "Other".

13. In view of the foregoing, it was unanimously decided by the Classification Committee that the product namely "Exxsol DSP 80/100 Hydrocarbon Fluid" is correctly classifiable under heading 2710.1190 of the Pakistan Customs Tariff.

  
 (Musarrat Jabeen)  
 Collector