

## **Issue: Classification of Geotextiles**

**Item at issue: Classification of a textile product having various geotechnical applications.**

**Possible classification:** Heading 59.11 or heading 63.07

### **Description of goods**

The product is a tubeshaped bag made of porous, weather-resistant geotextile and filled with sediment, such as sand or slurry, to form an artificial dune or levee. It is used for several applications, including: dune foot protection, underwater reefs, drainage, filtration, stabilization, breakwaters, and for dewatering dredged material.

### **Matters under consideration:**

- Headings 59.11: "Textile products and articles, for technical uses, specified in Note 8 to this Chapter".
- Heading 63.07: "Other made up articles, including dress patterns".

### **Classification**

The fabric of this tube-shaped bag is produced from polypropylene (PP) resin mixed with special additives. It is highly resistant under the impact of sea waves, has very fast water absorption coefficient, and is provided with small sieve size to keep sand particles from drifting out.

The fabric of the tubeshaped bag is permeable which, when used in association with soil, has the ability to separate, filter, reinforce, protect, or drain.

The Geotextile tubes are equipped with filling ports which are connected to a pump by tubes. The bag is filled on site. The tube-shaped bag is hydraulically filled by pumping sand and water mixture into it. The water flows and the sand settles in the container by gravity.

### **Basis of ruling**

Two headings merit consideration as regards the classification of the product at issue. These headings are 59.11 and 63.07.

Heading 63.07 covers "Other made up articles, including dress patterns".

Note 2 to Chapter 63 stipulates that " Sub-Chapter I does not cover :

(a) Goods of Chapters 56 to 62; or (b) Worn clothing or other worn articles of heading 63.09".

As a result, heading 63.07, being a residual heading, can be taken into consideration only if the product cannot be classified in other headings, namely heading 59.11.

Heading 59.11 covers “Textile products and articles, for technical uses, specified in Note 8 to this Chapter”.

The scope of heading 59.11 is defined and limited by Note 8 (b) to Chapter 59.

Note 8 to Chapter 59 stipulates, in sub-paragraph (b), that heading 59.11 applies to the following goods, which do not fall in any other heading of Section XI:

“(b) Textile articles (other than those of headings 59.08 to 59.10) of a kind used for technical purposes (for example, textile fabrics and felts, endless or fitted with linking devices, of a kind used in paper-making or similar machine (for example, for pulp or asbestos-cement), gaskets, washers, polishing discs and other machinery parts)”.

The Explanatory Note to heading 59.11 indicates that “the textile products and articles of this heading present particular characteristics which identify them as being for use in various types of machinery, apparatus, equipment or instruments or as tools or parts of tools”.

The characteristics of the article in question relating to its commonly-known use in filtering or draining liquids, it is considered that the Geotextile tubes, meet the requirements of Note 8 to Chapter 59, the scope of which is specified in the Explanatory Note to heading 59.11. Their use in the construction of levees and other apparatus for the protection of areas is a technical use.

### **Conclusion**

Consequently, classification of the product at issue is determined in heading 59.11 (subheading 5911.90) by application of GIRs 1 and 6.

*(Source: WCO members' website - Doc Ref: L 10512)*