

Issue: Classification of Scrap of PET Bottles

Items at issue: Scrap of PET Bottles



Description of goods: Polyethylene terephthalate (PET) Bottle Scrap containing small percentage of paper and film. Bottles made of PET can be used to make lower grade products, such as carpets.

Heading under consideration: 39.15 - Waste, parings and scrap, of plastics

Sub-Headings under consideration: 3915.10.10 or 3915.90.10

- Sub-Heading 3915.10.10 --- Scrap of PE bottles
- Sub-Heading 3915.90.10 --- Scrap of PET bottles

Basis of ruling:

Polyethene, commonly known as PE, is obtained from the polymerization of ethene/ ethylene monomers. Polymers of ethylene are classified in Heading 39.01.

Polyethylene Terephthalate, commonly known as PET, is obtained from the polymerization of the monomers ethylene glycol and terephthalic acid. Polyethylene Terephthalate is classified in Heading 39.07.

The chemical structure of the repeat unit of PET is different from that of PE (see **Figures 1 & 2**).

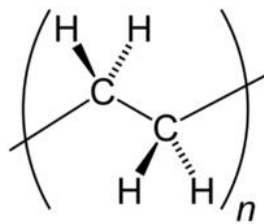


Figure 1: Repeat Unit of Polyethene (PE)

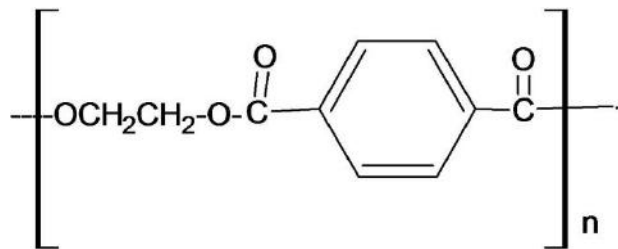


Figure 2: Repeat Unit of Polyethylene Terephthalate (PET)

Conclusion:

As such, scrap of PET bottles cannot be classified under the sub-heading 3915.10.10 as polymers of ethylene, but should be classified under the sub-heading 3915.90.10 as scrap of Polyethylene Terephthalate (PET) bottles, by application of GIRs 1 and 6.