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THIRD PARTY TESTING is required to support a certification of compliance to the rules shown below for children's products that are manufactured after the effective dates listed with each rule. The laboratories in this list have been accepted as accredited to test products to one or more of these children's product safety rules, as identified in the accreditation scope for each laboratory. A manufacturer of a children's product that must comply with one or more of these rules must support its certification of compliance with test results from one of these laboratories. -CHECK THE: [List of Accredited Testing Laboratories](#)

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- [LaRose Industries Recalls Peanuts Flying Ace Ride-On Toys Due to Choking Hazard; Sold Exclusively at Target](#)
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Proposed Modification of a Ruling Letter and Revocation of Treatment Relating to the Tariff Classification of Play Tables With Detachable Mobile Seats 40

DATES: Comments must be received on or before November 27, 2015.

In NY N074173, CBP classified the "Around We Go! Activity Center" as a seat in heading 9401, HTSUS. It is now CBP's position that the article identified in NY N074173 as Item 5 ("Around We Go! Activity Station") is distinguishable from the other items classified in that ruling, and classifiable under subheading 9503.00.0071, HTSUSA, which provides for: "[T]ricycles, scooters, pedal cars and similar

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wheeled toys; dolls' carriages; dolls, other toys; reduced-scale ("scale") models and similar recreational models, working or not; puzzles of all kinds; parts and accessories thereof... Other: Labeled for use by persons under 3 years of age."

Pursuant to 19 U.S.C. 1625(c)(1), CBP is proposing to modify NY N074173, and any other ruling not specifically identified, to reflect the tariff classification of the subject merchandise according to the analysis contained in proposed HQ H166336, set forth as Attachment B to this notice.

...
In NY N074173, the subject merchandise consisted of five styles of infant/toddler stationary entertainers. We classified and described Item 5 as follows:

Item 5: "Around We Go! Activity Station" - model numbers 6797 and 6938 are available under the Bright Starts line. The activity station has two primary components: (1) a plastic pedestal table that features over twenty toys; and (2) a plastic seat on two legs with wheels that is attached to the table. The mobile seat allows an infant to rotate 360 degrees around the table. The seat has a circular opening in the middle into which a cloth sling-type seat is inserted. As the child grows, the seat is easily removable but has no independent use of its own. Once the seat is outgrown, the play table remains as the sole useable component. Included with the item are electronic elements that light up and project noises when the infant interacts with them. NY N074173 classified Item 5, if made of reinforced or laminated plastic, under subheading 9401.80.2010, HTSUS, which provides for "[S]eats (other than those of heading 9402), whether or not convertible into beds, and parts thereof: Other seats: Of rubber or plastic: Of reinforced or laminated plastics: Household." If Item 5 is not made of reinforced or laminated plastics, the item was deemed classifiable under subheading 9401.80.4045, HTSUS, which provides for "[S]eats (other than those of heading 9402), whether or not convertible into beds, and parts thereof: Other seats: Of rubber or plastic: Other; Other."

Below is a photo of the item:



ISSUE: Whether the "Around We Go! Activity Station" is properly classifiable as a "Seat" in heading 9401, HTSUS, or as an "other toy" of heading 9503, HTSUS?

...
CBP more recently addressed the issue of restraint versus amusement in classifying infant activity entertainers in HQ H082619, dated July 31, 2013, which concerned the classification of three plastic or metal infant jumpers and bouncers, that are also imported by the instant requestor, Kids' Inc. In HQ H082619, we ruled that the items primarily serve a utilitarian purpose of restraining a child and thus were classifiable in heading 9401, HTSUS, as "seats". However, the subject merchandise, Item 5 ("Around We Go! Activity Station") is distinguishable from HQ H082619, primarily because its physical characteristics are different.

Item 5 has two primary components: (1) a plastic pedestal table that features over 20 built-in toys; and (2) a detachable wheeled mobile plastic seat on two legs which affixes to the table and allows the child to rotate 360 degrees around the table in order to play with the various toys. The seat has a circular opening

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in the middle into which a cloth sling-type seat is inserted. As the infant becomes a toddler, the mobile seat is easily removable and the article becomes solely a play table. The stationary activity centers in HQ H082619 consisted of seats, and not did not feature tables. Thus, unlike the seats in in HQ H082619, the seat in the instant article is on wheels which allows the infant to move around the table.

Inasmuch as the instant “Around We Go! Activity Station” qualifies as a composite good with separable components, it must be classified accordingly.

If imported alone, the seat would be classified in heading 9401, HTSUS, which provides for “seats”. See HQ H082619, supra. The pedestal table features more than 20 interactive toys; these toys occupy the entire table. Thus, the table cannot be used as furniture and it does not provide any utilitarian value. See Minnetonka Brands v. United States, 24 C.I.T. 645 (Ct Int’l Trade 2000) in which the court held that an “object is only a toy if it is designed and used for amusement or play, rather than for practicality.” See also HQ H253885, dated March 23, 2015, in which we held that “boo-boo” gel packs were not classified as toys. Therefore, if the pedestal table was imported separately, it would be classified in heading 9503, HTSUS, as “other toys” because it can only be used to entertain a child and it is inherently amusing, due to the variety of light-up and noise-producing interactive toys. The activity center is therefore prima facie classifiable in more than one heading. In such a situation, the GRIs direct us to apply GRI 3 to a “composite good.”

The relevant ENs for GRI 3 provide:

(VIII) The factor which determines essential character will vary as between different kinds of goods. It may, for example, be determined by the nature of the material or component, its bulk, quantity, weight or value, or by the role of a constituent material in relation to the use of the goods.

...

(IX) For the purposes of this Rule, composite goods made up of different components shall be taken to mean not only those in which the components are attached to each other to form a practically inseparable whole but also those with separable components, provided these components are adapted one to the other and are mutually complementary and that together they form a whole which would not normally be offered for sale in separate parts.

*In determining the essential character of the “Around We Go Activity Station,” CBP notes that the merchandise consists of a plastic chair that swivels around a pedestal table. When the child is restrained in the seat, she can “walk” 360 degrees around the toy table. The chair is detachable and may be removed once the child outgrows the manufacturer’s weight and height limits. Thus, the chair’s use is limited to the age and weight limits specified by the manufacturer (4 months and approximately 25 pounds). Unlike the chair, **the table can be used alone**, which is an attractive selling point to the ultimate purchaser, as parents get longer use out of the entertainer. Parents who reviewed the subject item on Walmart.com note this as a major selling point in their reviews of the item. The table features electronic elements that light up and project noises when the infant interacts with them. The table also accounts for a majority of the item’s bulk and weight. We also note that the instant item retails at a slightly higher price than infant stationary entertainers that consist of merely bouncer without a table, such as the stationary entertainers that we classified in HQ H082619. Consequently, CBP concludes that the pedestal toy table predominates the Activity Center by its role in relation to the use of the goods, as well as by bulk, weight, value, and visual appearance. Consequently, we conclude that the pedestal toy table imparts the “Around We Go! Activity Center” with its essential character, pursuant to GRI 3(b). Accordingly, Item 5 is classifiable as an “other toy” of heading 9503, HTSUS.*

HOLDING: By application of GRI 3(b), Item 5, the “Around We Go! Activity Station” is classifiable under subheading 9503.00.0071, HTSUSA, which provides for “[T]ricycles, scooters, pedal cars and similar wheeled toys; dolls’ carriages; dolls, other toys; reduced-scale (“scale”) models and similar recreational models, working or not; puzzles of all kinds; parts and accessories thereof... Other: Labeled for use by persons under 3 years of age.” The rate of duty will be free.

Revocation of One Ruling Letter and Modification of Two Ruling Letters and Revocation of Treatment Relating to the Tariff Classification of Electric Flatiron for Hair 52

EFFECTIVE DATE: *This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after December 28, 2015.*

We have reviewed NY N025515 and find the portion of that that relates to the classification of the gel imported together with the iron to be in error. In addition, in NY N060721 and NY N060719 similar electric iron products for hair were classified in subheading 8516.40.4000, HTSUS. For the reasons set forth below, we hereby modify NY N025515 and N060721, and revoke N060719.

FACTS: *In NY N025515, the merchandise was described as a cosmetic hair gel cartridge, imported together with a flatiron.*

In NY N060719, the merchandise was described as a “Convertible, HAI-2, Nustik, Twig and Nano XT” hair irons, which are used to flatten/straighten hair. The irons were electrically heated and operated on 110 volts of alternating current.

In NY N060721, CBP described the merchandise as the “Tong, DraStik, and Digistik” hair irons, which are used to flatten/straighten hair. The “DraStik” and “Digistik” have flat heating plates, while the “Tong” had crescent-shaped plates that allowed for creating semi-circular shapes in hair. The irons were electrically heated and operate on 110 volts of alternating current.

ISSUE: *Whether electric irons used for hairdressing are flatirons within the meaning of subheading 8516.40, HTSUS?*

...

Explanatory Note 85.16 provides, in relevant part, as follows:

(C) ELECTRO-THERMICHAIR-DRESSING APPARATUS AND HAND DRYERS

These include:

- (1) Hair dryers, including drying hoods and those with a pistol grip and built-in fan*
- (2) Hair curlers and electrical permanent waving apparatus*
- (3) Curling tong heaters*
- (4) Hand dryers*

(D) ELECTRIC SMOOTHING IRONS

This group covers smoothing irons of all kinds, whether for domestic use or for tailors, dressmakers, etc., including cordless irons. These cordless irons consist of an iron incorporating heating element and a stand which can be connected to the mains. The iron makes contact with the current only when placed in this stand. This group also includes electric steam smoothing irons whether they incorporate a water container or are designated to be connected to a steam pipe.

The above explanatory note’s reference to tailors and dressmakers in connection with irons indicates that the flatirons of subheading 8416.40 are irons used for pressing cloth. By contrast, the instant merchandise is in the nature of hair dressing apparatus, of the kind described in subheading 8516.32 and Explanatory Note C to heading 8516. Therefore, the subject product is properly classified under subheading 8516.32.00, HTSUS, rather than subheading 8516.40, HTSUS.

HOLDING: *By application of GRI 1, we find the subject flatirons are classified in subheading 8516.32.00, HTSUS, which provides for “Other hairdressing apparatus.” The column one, general rate of duty is 3.9 percent ad valorem.*

Revocation of One Ruling Letter and Revocation of Treatment Relating to the Classification of a Triathlon Short57

EFFECTIVE DATE: *This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after December 28, 2015.*

In NY N007456, dated March 6, 2007, CBP classified a woman’s triathlon racing short in subheading 6104.63.2006, Harmonized Tariff Schedule of the United States Annotated (HTSUSA), which provides for “Women’s or girls’ suits, ensembles, suit-type jackets, blazers, dresses, skirts, divided skirts, trousers, bib

and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted: Trousers, bib and brace overalls, breeches and shorts: Of synthetic fibers: Other: Other, Trousers and breeches: Women’s: Containing 5 percent or more by weight of elastomeric yarn or rubber thread”.

Pursuant to 19 U.S.C. 1625(c)(1), CBP is revoking NY N007456, dated March 6, 2007, and any other ruling not specifically identified, pursuant to the analysis set forth in Proposed Headquarters Ruling Letter H039658.

ISSUE: What is the proper classification for the merchandise?

...
You have asserted that the subject merchandise should be classified in heading 6114, HTSUS, as “other” garments due to certain specific features said to be designed specifically for wear during all three triathlon events, swimming, bicycling, and running.

The terms of heading 6104, HTSUS, are not limited (other than swimwear), **thus they include all forms of shorts.** See HQ 089405, dated March 19, 1992. However, while special articles of apparel used for certain sports are properly classified in heading 6114, this is a limited exception. The Explanatory Notes for heading 6114, HTSUS, state that: “The heading includes, inter alia: (5) Special articles of apparel used for certain sports or for dancing or gymnastics (e.g., fencing clothing, jockey silks, ballet skirts, leotards).” See EN 61.14(5). In HQ 960833, dated October 5, 1998, CBP in particular noted: “The exemplars given in the EN, such as fencing clothing, jockeys’ silks and ballet clothing, are generally worn only while engaging in that activity.” CBP has consistently stated that **for sports clothing to be classified in heading 6114, HTSUS, it must be limited to use in a particular sport, be designed for use in a particular sport, and be worn only while participating in the sport and not ordinarily worn at any other time.** CBP has also considered the manner in which the garment is marketed and sold. [citations omitted].

The subject garment is specifically designed for the triathlon events that include swimming, bicycling and running. The instant garment includes a fully elasticized waist through which a drawstring is threaded, a feature found in swim trunks. It also includes a padded crotch and seat area, which is a feature found in cycle shorts. These features, along with the condition of the padding, demonstrate that the garment meets the needs of all three events, without unnecessarily impeding any one triathlon event. We agree that the chamois insert’s purpose is functional (i.e., to prevent chafing, to provide cushioning, and to absorb sweat), and that the design of the shorts is such that it renders them impractical for use as fashion shorts of heading 6104, HTSUS. Additionally, the chamois insert has been designed to be clearly visible on the outside of the garment, creating an unsightly and unseemly bulge such that the item would not be worn for casual wear. In addition, we note that the sample of Style #0429 is labeled for triathlon racing highlighting the “Quick drying UltraSensor Triathlon chamois”. The www.pearlizumi.com website also markets the item as a woman’s triathlon short.

In view of the foregoing, CBP finds that subject merchandise is classified in heading 6114, HTSUS. This decision is consistent with NY N007592, dated March 27, 2007 (classifying men’s triathlon shorts in heading 6114, HTSUS); NY J88284, dated September 17, 2003; NY J88979, dated October 29, 2003; NY L81141, dated December 8, 2004; and NI02306, dated May 20, 2010.

HOLDING: By application of GRI’s 1 and 6, the woman’s triathlon racing short style #1557 is classified in heading 6114, HTSUS, specifically, subheading 6114.30.3070, HTSUSA, which provides for “Other garments, knitted or crocheted: Of man-made fibers: Other, Other: Women’s or girls’.” The column one, general rate of duty is 14.9 percent ad valorem.

Proposed Modification of Two Letters and Proposed Revocation of Treatment Relating to the Tariff Classification of Women’s Suit-Type Jackets and Pants 63

DATES: Comments must be received on or before November 27, 2015.

...
In NY N086736 and NY N086592, CBP classified certain styles of women’s jackets and pants separately, in subheadings 6204.33.50 and 6204.63.35, HTSUS. It is now CBP’s position that the garments are properly classified as “suits” in subheading 6204.13.20, HTSUS, which provides for: “Women’s or girl’s

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suits, ensembles, suit-type jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts: Suits: Of Synthetic Fibers: Other.”

Pursuant to 19 U.S.C. § 1625(c)(1), CBP is proposing to modify NY N086736 (Attachment A) and NY N086592 (Attachment B), to reflect the proper classification of this merchandise according to the analysis contained in the proposed Headquarters Ruling Letter (“HQ”) H110416 (Attachment C).

...
 In NY N086736, U.S. Customs and Border Protection (“CBP”) classified the jackets of Styles 37715–05 and 171897–05 as “suit-type jackets and blazers” under subheading 6204.33.50, Harmonized Tariff Schedule of the United States (“HTSUS”) which provides for “Women’s or girls’ suits, ensembles, suit-type jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear): Suit-type jackets and blazers: Of synthetic fibers: other.” CBP classified the corresponding pants of Styles 37715–05 and 171897–05 as “trousers...” under subheading 6204.63.35, HTSUS, which provides for “Women’s or girls’, suits, ensembles, suit-type jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear): Trousers, bib and brace overalls, breeches and shorts: Of synthetic fibers: Other: Other: Other: Other: Other: Other.”

In NY N086592, CBP classified the jackets of Styles 17821–05, 37821–05, and 17828–40 in HTSUS subheading 6204.33.55, which provides for “Women’s or girls’, suits, ensembles, suit-type jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear): Suit-type jackets and blazers: Of synthetic fibers: Other.” CBP classified the corresponding pants for each style at issue as “trousers...” in subheading 6204.63.35, HTSUS, which provides for “Women’s or girls’, suits, ensembles, suit-type jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear): Trousers, bib and brace overalls, breeches and shorts: Of synthetic fibers: Other: Other: Other: Other: Other.”

...
 Each style at issue consists of a set of garments consisting of a jacket and a pair of pants in the same style, color, construction, and composition. Each garment is made from synthetic fabric consisting of 63% polyester, 33% rayon, and 4% spandex. The jackets are not lined.

ISSUE: Whether the instant garments are classified together as suits in subheading 6204.13, HTSUS, or as “suit-type jackets and blazers” and “trousers” in subheading 6204.33, HTSUS, and 6204.63, respectively?

Because the instant classification dispute occurs beyond the four-digit heading level, GRI 6 is implicated. GRI 6 states:

For legal purposes, the classification of goods in the subheading of a heading shall be determined according to the terms of those subheadings and any related subheading notes and, mutatis mutandis, to the above rules, on the understanding that only subheadings at the same level are comparable. For the purposes of this rule, the relative section, chapter and subchapter notes also apply, unless the context otherwise requires

...
 There is no dispute that the subject women’s garments are classified in heading 6204, HTSUS. To the contrary, the dispute is at the 6-digit level. You argue that the instant garments should be classified as “suits” in subheading 6204.13, HTSUS, whereas in NY N086736 and NY N086592, CBP classified the jacket and pants of each style at issue separately, in subheadings 6204.33 and 6204.63, HTSUS.

Note 3(a) to Chapter 62, HTSUS, defines the term “suit” as “a set of garments composed of two or three pieces made up, in respect of their outer surface, in identical fabric, and which are comprised of one of a number of specific type of garments designed to cover the lower body and a suit coat or suit jacket. See Headquarters Ruling Letter (HQ) 962125, dated May 5, 2000. Thus, we must evaluate each pair of garments as a whole before we can determine if the individual articles meet the criteria for suit jackets and suit pants. In this case, we are presented with garments each composed of a jacket and a pair of pants. The components of each style at issue are of the same fabric construction, style, color, and composition. Each

pant and jackets are also of corresponding sizes. See HQ 953237, dated February 2, 1993. Accordingly, the first definitional requirement is met.

Note 3(a) requires that the outer shell of suit-jackets in heading 6204, HTSUS, consist of at least four panels. Each jacket presented meets this requirement as each jacket features at least four panels, as noted above. Therefore, we find that the instant merchandise, Styles 37715-05, 171897-05, 37821-05, 17821-05, and 17828-40 each meet the requirements of Note 3(a) to Chapter 62, HTSUS. Accordingly, by operation of GRI 1, the instant merchandise are classified in subheading 6204.13.20, HTSUS, as “Women’s or girl suits...: Suits: Of Synthetic fibers: Other.”

HOLDING: By application of GRI 1, the women’s pants suits, Styles 37715-05, 171897-05, 37821-05, 17821-05, and 17828-40 are classified in heading 6204, HTSUS, and specifically in subheading 6204.13.20.10, HTSUSA, which provides for “Women’s or girl’s suits, ensembles, suit-type jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts: Suits: Of Synthetic Fibers: Other: Women’s.” Under the 2015 HTSUS, the column one, general rate of duty is 35.3¢/kg + 25.9% ad valorem.

Modification of a Ruling Letter and Revocation of Treatment Relating to the Tariff Classification of an Inkjet Printer/Cutter 75

EFFECTIVE DATE: This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after December 28, 2015.

In NY N004132, CBP classified an inkjet printer/cutter imported from Japan, in subheading 8477.80.00, HTSUS, which provides for, “Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this chapter; parts thereof: Other machinery for molding or otherwise forming: Other machinery.”

Pursuant to 19 U.S.C. 1625(c)(1), CBP is modifying N004132 and any other ruling not specifically identified, in order to reflect the proper classification of an inkjet printer/cutter in subheading 8443.32.10, HTSUS, according to the analysis contained in Headquarters Ruling Letter (“HQ”) H128416, set forth as an attachment to this document.

...

FACTS: In NY N004132, the subject merchandise was described as follows:

The 6 color inkjet printer and contour cutter, Model Number XC-540, is designed to produced outdoor graphics (banners, signs, vehicle graphics) that are UV and water resistant. Other applications include the production of labels, decals, apparel graphics, floor graphics, and packaging. The unit can print on and cut media such as vinyl, canvas, banner and backlit film up to 54 inches in width. It features a 64 nozzle piezo inkjet print head capable of printing resolutions up to 1440 dpi using solvent based inks. In addition, it has a swivel drag cutting blade for high speed precision contour cutting. In your letter, you indicate that the unit is principally used on plastic media. The unit is intended to be used in conjunction with a separate personal computer (not imported with the Model Number XC-540

ISSUE: What is the proper classification of the inkjet printer/cutter?

LAW AND ANALYSIS:

...

Note 3 to Section XVI, HTSUS, states, in pertinent part, the following:

- 3. Unless the context otherwise requires, composite machines consisting of two or more machines fitted together to form a whole and other machines designed for the purpose of performing two or more complementary or alternative functions are to be classified as if consisting only of that component or as being that machine which performs the principal function.

* * * * *

...

The ENs to Section XVI, provide, in relevant part, as follows:

(VI) MULTI-FUNCTION MACHINES AND COMPOSITE MACHINES

(Section Note 3)

In general, multi-function machines are classified according to the principal function of the machine.

... Composite machines consisting of two or more machines or appliances of different kinds, fitted together to form a whole, consecutively or simultaneously performing separate functions which are generally complementary and are described in different headings of Section XVI, are also classified according to the principal function of the composite machine.

... For the purposes of the above provisions, machines of different kinds are taken to be fitted together to form a whole when incorporated one in the other or mounted one on the other, or mounted on a common base or frame or in a common housing.

* * * * *

... Note 3 to Section XVI, HTSUS, directs that unless context otherwise requires, composite machines consisting of two or more machines fitted together to form a whole are to be classified as if consisting only of that component or as being that machine which performs the principal function. As described above, the subject merchandise is used for printing by means of ink jets with the option to cut printed materials. As you indicated, the user may choose to use the printing machine to perform cutting functions. However, the cutting function is not necessary for the operation of the printing machine. The printing machine would not be used solely or primarily for cutting materials without printing.

CBP has found the analysis developed and utilized by the courts in relation to “principal use” (the “Carborundum factors”) to be a useful aid in determining the principal function of such machines. Generally, the courts have provided several factors, which are indicative but not conclusive, to apply when determining whether merchandise falls within a particular class or kind. ...

You listed a number of Carborundum factors in your submission including: general physical characteristics, expectation of the ultimate purchaser, channels of trade, environment of sale, the use in the same manner as merchandise which defines the class, economic practicality, and economic recognition in the trade of use of the printer/cutter machine. **After examining the product literature and documentation you provided and considering the Carborundum factors, we agree that the principal function of the printer/cutter is for a user to print graphics on a variety of materials.** As such, CBP concludes that the subject printer/cutter performs the principal function of printing materials, and pursuant to Note 3 to Section XVI, HTSUS, the subject merchandise shall be classified as if consisting only of the printer. This finding is consistent with prior CBP rulings on similar merchandise....

HOLDING: By application of GRI 1, we find the inkjet printer/cutter (Model XC-540) to be properly classified under heading 8443, HTSUS, specifically, in subheading 8443.32.10, HTSUS, which provides for “Printing machinery used for printing by means of plates, cylinders and other printing components of heading 8442; other printers, copying machines and facsimile machines, whether or not combined; parts and accessories thereof: Printing machinery used for printing by means plates, cylinders and other printing components of heading 8422: Other printers, copying machines and facsimile machines, whether or not combined: Other, capable of connecting to an automatic data processing machine or to a network: Printer units: Ink jet..” The duty rate is “Free.”

Revocation of a Ruling Letter and Revocation of Treatment Relating to the Tariff Classification of a Powercap and a Powercap With Crystal82

EFFECTIVE DATE: This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after December 28, 2015.

For details or additional information please contact: bywierbicki@tdllp.com

In NY N093423, CBP classified a PowerCap and a PowerCap with Crystal, in subheading 8504.40.9540, HTSUSA, which provides for, “Electrical transformers, static converters (for example, rectifiers) and inductors; parts thereof: Static converters: Other: Rectifiers and rectifying apparatus: Power supplies: Other.”

Pursuant to 19 U.S.C. 1625(c)(1), CBP intends to revoke N093423 and any other ruling not specifically identified, in order to reflect the proper classification of a PowerCap and a PowerCap with Crystal in subheading 8506.50.00, HTSUS, according to the analysis contained in Headquarters Ruling Letter (“HQ”) H192478, set forth as an attachment to this document.

ISSUE: Whether the PowerCap and PowerCap with Crystal products are classified in heading 8504, HTSUS, as static converters, or in heading 8506, HTSUS, as primary batteries.

...

Section XVI, Note 3, which includes headings 8504 and 8506, HTSUS, provides:

Unless the context otherwise requires, composite machines consisting of two or more machines fitted together to form a whole and other machines designed for the purpose of performing two or more complementary or alternative functions are to be classified as if consisting only of that component or as being that machine which performs the principal function.

...

Heading 8504, HTSUS, provides, in relevant part, for static converters. The ENs to heading 8504, HTSUS, provide: “The apparatus of this group are used to convert electrical energy in order to adapt it for further use. They incorporate converting elements (e.g., valves) of different types. They may also incorporate various auxiliary devices (e.g., transformers, induction coils, resistors, command regulators, etc.). Their operation is based on the principle that the converting elements act alternately as conductors and nonconductors.”

A review of the product literature and specifications indicates that the instant merchandise does not incorporate any converting elements, and is not used to convert electrical energy in order to adapt it for further use. Instead, the subject DS9034PC/PCI PowerCap and the DS90349PCX PowerCap with Crystal generate electrical energy by means of a chemical reaction involving lithium cells. Therefore, neither product falls within the EN’s delineation of static converters.

The subject DS9034PC/PCI PowerCap consists of a lithium battery, connectors, and a plastic cap attached to a printed circuit board. The subject DS90349PCX PowerCap with Crystal consists of a lithium battery, connectors, a plastic cap, and a crystal attached to a printed circuit board. Section XVI, Note 3, HTSUS, which governs the classification of goods in heading 8504, among others, states that unless the context otherwise requires, composite machines consisting of two or more machines fitted together to form a whole and other machines adapted for the purpose of performing two or more complementary or alternative functions are to be classified as if consisting only of that component or as being that machine which performs the principal function. Both products qualify under Section XVI, Note 3, HTSUS, as composite machines that are to be classified as if consisting of that component or as being that machine which performs the principal function. The principal function of the merchandise is to provide a source of current. Based on its description and function, the lithium battery is the source of the current.

The lithium battery is designed to provide 10 years of battery backup power. It is a primary (non-chargeable) battery. Therefore, the subject merchandise is classifiable in heading 8506, HTSUS.

HOLDING: By application of GRIs 1 and 6, we find the PowerCap and PowerCap with Crystal are classified in heading 8506, HTSUS, and subheading 8506.50.00, HTSUS, which provides for “Primary cells and primary batteries; parts thereof: Lithium.” The column one, general rate of duty is 2.7 percent ad valorem.

Revocation of a Ruling Letter and Revocation of Treatment Relating to the Tariff Classification of Mobile Phone Kits 88

EFFECTIVE DATE: This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after December 28, 2015.

In NY N049055, CBP classified various mobile phone components (including mobile phone handsets, mobile phone batteries, mobile phone battery covers, mobile phone chargers, and mobile phone instruction

manuals), imported together in bulk but packaged separately, in heading 8517, HTSUS, as an unassembled GRI 3(b) set. It is now CBP's position that the subject kits are not GRI 3(b) sets, and that the components are classified separately.

...

The items that comprise the mobile phone kits are mobile phone handsets, mobile phone batteries, mobile phone battery covers, mobile phone chargers, and mobile phone instruction manuals. Each of these items will be packaged with several other identical items in cardboard shipping cartons, i.e., one carton containing batteries, another carton containing handsets, etc. Each of the shipping cartons will be placed on separate pallets with several other shipping cartons containing identical items and shrink-wrapped, i.e., one pallet containing several shipping cartons full of batteries, another pallet containing several cartons full of handsets, etc. All of the pallets will be imported within the same shipment in proportionate quantities, i.e., 1,000 batteries, 1,000 handsets, etc. All of the five items will be imported in this manner for convenience of packing, handling, and transport. However, **after importation the merchandise will only be sold as mobile phone kits each consisting of a handset, battery, battery cover, charger, and instruction manual.**

...

GRI 2(a) provides, in pertinent part, that "Any reference in a heading to an article shall be taken to include a reference to that article complete or finished (or falling to be classified as complete or finished by virtue of this rule), entered unassembled or disassembled." GRI 3(b) provides that "[m]ixtures, composite goods consisting of different materials or made up of different components, and goods put up in sets for retail sale, which cannot be classified by reference to 3(a), shall be classified as if they consisted of the material or component which gives them their essential character, insofar as this criterion is applicable." In addition, the Explanatory Note to GRI 3(b) holds that: "[f]or the purposes of this Rule, the term "goods put up in sets for retail sale" shall be taken to mean goods which:

- (a) consist of at least two different articles which are, prima facie, classifiable in different headings.
- (b) consist of products or articles put up together to meet a particular need or carry out a specific activity; and
- (c) are put up in a manner suitable for sale directly to users without repacking."

The mobile phone kit components imported by LG are **not** "goods put up in sets for retail sale." The instant kit components are not put up in a manner suitable for sale directly to users without repacking. Instead, the various components are all packaged separately and in bulk at the time of importation. Only after importation are the components repacked for sale directly to consumers. Despite these facts, NY N049055 nonetheless concluded that the LG phone kits are "unassembled sets" pursuant to GRI 2(a). This conclusion is incorrect.

First, we note that GRI 2(a) refers specifically to individual articles, **not sets**. A composite good can be an article, but a set is by definition, several articles. GRI 2(a) and GRI 3 can therefore be read together, and frequently have been with respect to composite goods, but the language of GRI 2(a) does not support extending this rule to GRI 3(b) sets. Second, it is an established rule of tariff classification, set forth in the EN to GRI 3(b) and CBP rulings, that "goods put up in sets for retail sale" "must be put up in a manner suitable for sale directly to users without repacking". Such goods must meet all three of the criteria listed in the EN to GRI 3(b) in order to be classified as a GRI 3(b) set. [citations omitted]

...

The instant kits are not put up in a manner suitable for sale directly to users without repacking, because they are packaged separately at importation and are repackaged after importation. Thus, the instant LG kits do not meet the essential elements of a GRI 3(b) set, and are not classifiable as such under either GRI 2 or 3. Each component will be classified separately.

HOLDING: By application of GRIs 1 and 6, the battery is classified in heading 8507, HTSUS, specifically subheading 8507.60.00, specifically subheading 8507.60.00, which provides for "Electric

storage batteries including separators therefor, whether or not rectangular...parts thereof: Lithium-ion batteries.” The 2015 column one, general rate of duty is 3.4%.

The battery charger is classified in heading 8504, HTSUS, specifically subheading 8504.40.85, HTSUS, which provides for “Electrical transformers, static converters (for example, rectifiers) and inductors; parts thereof: Static converters: For telecommunication apparatus.” The 2015, column one, general rate of duty is Free.

The instruction manual is classified in heading 4901, HTSUS, specifically subheading 4901.99.00, HTSUS, which provides for “Printed books, brochures, leaflets and similar printed matter, whether or not in single sheets: Other: Other.” The 2015 column one, general rate of duty is Free.

The LG mobile phone is classified in heading 8517, HTSUS, specifically subheading 8517.12.00, HTSUS, which provides for “Telephone sets, including telephones for cellular networks or for other wireless networks; other apparatus for the transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network), other than transmission or reception apparatus of heading 8443, 8525, 8527 or 8528; parts thereof: Telephone sets, including telephones for cellular networks or for other wireless networks: Telephones for cellular networks or for other wireless networks.” The 2015 column one, general rate of duty is Free.

We do not have sufficient information to determine the classification of the battery cover.

Revocation or Modification of Seven Ruling Letters and Revocation of Treatment Relating to the Tariff Classification of Electronic Learning Devices96
EFFECTIVE DATE: This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after December 28, 2015.

In NY I84192, NY E84480, NY E86264, NY F85877, NY J84806, NY L85697, and NY L86633, CBP determined that various electronic learning devices for children were classified in heading 9503, HTSUS, as toys.

In NY E84480, NY E86264, NY F85877, NY I84192, NY J84806, NY L85697, and NY L86633, CBP determined that various electronic learning devices for children were classified in heading 9503, HTSUS, as toys.

Pursuant to 19 U.S.C. 1625(c)(1), CBP is revoking NY E84480, NY F85877, NY I84192, NY J84806, NY L85697, and NY L86633, and is modifying NY E86264, in order to reflect the proper classification of the electronic learning devices at issue in heading 8543, HTSUS, [specifically subheading 8543.70.96, HTSUS] as electrical machines and apparatus having individual functions, according to the analysis contained in Headquarters Ruling Letter (HQ) H039058, which is attached to this document.

...
ISSUE: *Whether the electric learning devices at issue are classifiable as toys of heading 9503, HTSUS, or electric devices of heading 8543, HTSUS.*

...
Section XVI, Note 1(p), HTSUS, which includes chapter 85, HTSUS, states that it does not cover articles of Chapter 95, HTSUS. Accordingly, we must first determine whether the subject articles are toys of heading 9503, HTSUS. Heading 9503, HTSUS, provides for toys.

...
The physical characteristics of the articles of are not those of a toy of heading 9503, HTSUS. While the instant merchandise is often colorful, it does not otherwise have the physical characteristics of a toy. Instead, it contains a screen and controls like a machine. It is not used as a toy, mainly for amusement, but rather to teach a child the alphabet, arithmetic or other age-appropriate lessons in an engaging way. While there is no evidence regarding the manner in which the merchandise is displayed in retail stores, on-line advertisements emphasize the processing component and “engine”, and ease of use of the keyboard. These qualities are not indicative of toys either.

The instant articles are sold in toy stores or the toys department of major retailers, and thus move in the same channels of trade as toys. However, the marketing and advertisement generally reveals a focus primarily on the educational value of the systems. Product descriptions from the manufacturer or other

sellers as well as user or editorial reviews place only secondary importance on the amusing or entertaining properties of the merchandise at issue, as compared to the instructional value. This indicates that the merchandise at issue is intended to supplement the education a child receives at school (or, for younger children, to get a head start on their education), rather than for play. For example, the product description on Amazon.com for the Alphabet Apple encourages customers to “Take a bite out of learning with the Alphabet Apple by VTech! Eight learning activities teach letters, spelling, time concepts and so much more. The Alphabet Apple by VTech will introduce your child to a whole new world of learning! Eight learning activities teach animals, objects and words, phonics, letters, spelling and time concepts. Press the light-up alphabet buttons to hear the 26 cheerful melodies and sound effects. This fun learning toy also features a cute singing worm that sings songs and interacts with your child.”

While the marketing of the product as well as the expectation of the ultimate purchaser (as demonstrated by product reviews online), emphasize both the learning and the amusing aspects of the device, the focus is on the educational and learning activities. As noted by the comment received in response to the proposed revocation, any amusement experienced by the child is therefore meant to facilitate the learning process and thus make the system a better learning tool, but not to change its nature as a learning device. The merchandise is used as a learning tool, and therefore its primary purpose is not that of amusement.

CBP has repeatedly rejected classification in heading 9503 for similar electronic learning devices, placing them instead in Chapter 85. [citations omitted] ...

Furthermore, EN 95.03 refers to toy chemistry, printing, sewing and knit ting sets as examples of educational toys. However, the educational value of such devices is—intentionally—more limited. As semi-functional representations of the actual products, the “educational” toys listed in EN 95.03 are capable of a “limited use,” but are generally distinguishable by their size and limited capacity from real sewing machines, etc. They are designed to allow the user to mimic or even undertake the basic activities of actual chemistry, printing, sewing or knitting sets. They take advantage of a child’s natural curiosity and desire to role-play at being an adult. The actual learning of principles of chemistry or development of sewing skills is thus secondary to the entertainment value of role-playing and exploding volcanoes. Therefore, products similar to the devices at issue are still not classifiable as toys if the amusement they might provide is plainly secondary to the products’ primary purpose, unless the product is a limited use representation that provides for role-playing. The subject articles are not limited use devices of a kind with those enumerated in EN 95.03, and do not provide the role-play value of the exemplars listed in the ENs.

...

..HQ 960279 December 9, 1997, further clarified the difference between an “educational toy” of heading 9503, and an educational device:

Not all articles with educational elements are considered “educational toys” for tariff purposes. Articles which act primarily as surrogate instructors are not considered educational toys for tariff purposes. The act of surrogate instruction involves the giving of instructions or asking of questions and the confirmation of the correct answer. Such confirmation may have an element of “positive reinforcement” such as a pleasant sound verses a “sour” note. Unlike a child’s own natural curiosity in an educational toy, it is this positive reinforcement which is offered to keep the child interested in the process.

The subject articles also fall into the category of “surrogate instructor” rather than that of educational toy of the kind listed in EN 95.03. The device is intended to help the child learn the same basic skills taught in school, and as Customs noted in HQ 088494, “Although certain aspects of school can be amusing, we do not agree that school is designed for the amusement of children.”

Thus, the Alphabet Apple is not designed or used primarily for the amusement of children or adults and is therefore not classifiable in Chapter 95. There is no provision in the HTSUS for educational articles per se. Therefore the subject merchandise is classified as an electrical machine or apparatus of heading 8543, HTSUS.

In contrast, we note that educational devices are properly classified as toys when they satisfy the principal use criteria outlines in United States v. Carborundum Co., and when they share the

characteristics of educational toys laid out in EN 95.03 and HQ 966721 and HQ 960279. For example, in HQ H195956, dated February 27, 2012, CBP classified a science kit in heading 9503, HTSUS, because it satisfied the criteria laid out in previous rulings for toys of heading 9503, as an article of: 1) limited use, 2) limited capacity and 3) representational of a grown-up version of the same article. Similarly, CBP has classified educational toys such as chemistry sets (see e.g., NY B85837, dated June 5, 1997) and a toy ATM (see e.g., NY N202159, dated February 17, 2012). These articles are clearly limited-use representations of adult versions of the same article.

CBP has also classified other devices with an educational aspect in heading 9503, HTSUS, because their design indicated that their principal use was for amusement.

HOLDING: By application of GRI 1, the Alphabet Apple is classified in heading 8543, HTSUS, and is specifically provided for in subheading 8543.70.96, HTSUS, which provides for “Electrical machines and apparatus, having individual functions, not specified or included elsewhere in this chapter; parts thereof: Other machines and apparatus: Other: Other: Other.” The 2015, column one, general rate of duty is 2.6%.

Revocation of a Ruling Letter and Revocation of Treatment Relating to the Tariff Classification of Linzess® (Linaclotide)106

EFFECTIVE DATE: This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after December 28, 2015.

In NY N233631 CBP classified Linaclotide under subheading 3004.90.91, HTSUS, which provides for “Medicaments-consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms or packings for retail sale: Other: Other: Other: Medicaments primarily affecting the digestive system: Other.” It is now CBP’s position that Linzess® (Linaclotide) is properly classified under subheading 3002.90.51, HTSUS, which provides for “Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products: Other: Other.”

...
Note 2 to Chapter 30, HTSUS, states, in pertinent part: “For the purposes of heading 3002, the expression “immunological products” applies to peptides and proteins (other than goods of heading 2937) which are directly involved in the regulation of immunological processes, such as... interleukins, interferons (IFN), chemokines and certain tumor necrosis factors (TNF), growth factors (GF), hematopoietins and colony stimulating factors (CSF). The Harmonized Commodity Description and Coding System Explanatory Notes (EN), constitute the official interpretation of the Harmonized System at the international level. While neither legally binding nor dispositive, the EN provide a commentary on the scope of each heading of the HTSUS and are generally indicative of the proper interpretation of the headings. It is CBP’s practice to consult, whenever possible, the terms of the ENs when interpreting the HTSUS. See T.D. 89–80, 54 Fed. Reg. 35127, 35128 (August 23, 1989).

The EN to Heading 30.02 provides, in pertinent part:

This heading covers: (D) Vaccines, toxins , cultures of micro-organisms (excluding yeasts) and similar products. [Emphasis added] These products include:

(2) Toxins (poisons), toxoids, crypto-toxins and anti-toxins.

* * * *

The products of this heading remain classified here whether or not in measured doses or put up for retail sale and whether in bulk or in small packings.

Ruling N233631 classified the above-identified products under heading 3004, HTSUS. However, the heading specifically excludes goods which can be classified under heading 3002, HTSUS. Therefore, if the above-identified product can be properly classified under heading 3002 HTSUS, it is precluded from classification under heading 3004, HTSUS.

An enterotoxin is a protein toxin released by a microorganism in the intestine. Escherichia coli, also known as E. coli, is a bacterium that is commonly found in the gut of warm blooded animals. E. coli is a heat stable enterotoxin. Linaclotide is produced by genetically modifying E. coli bacteria by substituting two amino acids. Linaclotide maintains some of the effect of an enterotoxin and is an analog of naturally occurring E. coli. As toxoids are named as an example under the included products of heading 3002, HTSUS, the attenuated effects of Linaclotide is not precluded from classification under this heading. Accordingly, Linzess® (Linaclotide), which is imported in measured dosages, is properly classified under heading 3002, HTSUS.

Therefore, Linzess® (Linaclotide) is not classifiable under heading 3004, HTSUS, or in Chapter 29, HTSUS. See heading 3004, HTSUS and Note 2 to Chapter 29, HTSUS.

We note that this ruling is in accord with the recent decision of the Harmonized System Committee to classify Linaclotide in heading 3002, HTSUS, (See, HSC Report NC1443B1b Ann. P/2, HSC/43) and with NY N243162, dated August 6, 2013.

HOLDING: *By application of GRI 1, the instant product Linzess® (Linaclotide) is properly classified under subheading 3002.90.51, HTSUS, which provides for “Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera, other blood fractions and immunological products, whether or not modified or obtained by means of biotechnological processes; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products: Other: Other. The rate of duty is free. Duty rates are provided for your convenience and are subject to change.*

Modification of Three Ruling Letters and Revocation of Treatment Relating to the Classification of Sliced and Diced Potatoes 112

EFFECTIVE DATE: *This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after December 28, 2015.*

In HQ 966202, NY 189048, and HQ 954208, CBP classified sliced and diced potatoes that had been treated with the preservative sodium bisulfite to preserve their color in Subheading 2005.20.00, Harmonized Tariff Schedule of the United States (“HTSUS”), as potatoes, “prepared or preserved otherwise than by vinegar or acetic acid, other.” We now believe these potatoes are classified in subheading 0712.90.30, HTSUS, which provides for “Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared: Other vegetables; mixtures of vegetables: Potatoes whether or not cut or sliced but not further prepared.”

...
In HQ 966202, NY 189048, and HQ 954208, CBP classified the subject merchandise in subheading 2005.20.00, HTSUS, which provides for “Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006: Potatoes.” In HQ 954208, we reasoned that because these products were excluded from heading 0712, HTSUS, because they have been prepared or preserved further than the level contemplated by the heading. We also reasoned that sodium bisulfite is a preservative that prevents the loss of color during storage and helps retain flavor.

Upon reconsideration, we note that in HQ H226236, dated July 29, 2013, CBP defined to the term “preserved” by stating that:

It has been held that preservation in a tariff sense ordinarily involves cooking, salting, drying, smoking, curing, or the application of some method or process whereby the fresh or natural condition of the article is so changed as to be more of less a permanent preservation and that something more must be done to it than merely to arrest change and decomposition while in transit.

Sodium bisulfite is widely used in food to preserve color and flavor. See Food Chemicals Codex at 1075 (9th Ed. 2014); <http://www.veggiesensations.com/sodiumbisulfite/>; http://www.foodinsight.org/IFIC_Review_Sodium_in_Food_and_Health. The instant dried potatoes with sodium bisulfite are imported ready to be eaten, and are not used as raw materials for manufacturing purposes. As such, they do not meet the terms of heading 0711, HTSUS. See also EN 07.11.

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In HQ H226236, CBP states that “the word ‘prepared,’ in a tariff sense, means, ordinarily, that a commodity has been so processed as to be advanced in condition and made more valuable for its intended use.” [citations omitted] ... We further stated that:

CBP has previously found that processes which change the taste of a food product, or render it suitable for a particular use, can alter its essential character, such that it becomes a “prepared fish” of heading 1604, HTSUS. See HQ 560931, dated July 8, 1998 (where the spicing and breading of crawfish tails altered the taste and use of the product such that it resulted “in the creation of a new article with a character and use which is different from that possessed by the article prior to processing.”); HQ H034679, dated September 15, 2008 (“The process by which the breading is added to the subject [cod] fillets indicates that the resulting products are permanently changed in terms of their taste and end-use.”).

See HQ H226236. In HQ H226263, CBP classified fish that had been treated with a “tasteless smoke” which was designed only to preserve the color of the fish for up to a year. This process was not designed to change the taste or anything else about the fish. As a result, CBP stated that:

fillets treated with tasteless smoke are suitable for any of the same uses that untreated fillets can be subject to. The process does not render the treated fillets suitable for any particular purpose. The red color is specifically intended to make the tuna fillets appear fresh, and thus more attractive to the average consumer, but does not extend the shelf life of the product. Fillets that are treated or untreated can be put to all the same uses, whether fried, baked, broiled, or eaten raw. The fact that the color makes the product appear to be of a higher quality has no effect on the uses of the product. Hence, the tasteless smoke process does not advance the tuna in condition so as to make it more valuable under Frosted Fruit. Therefore, it is CBP’s conclusion that the tasteless smoke process does not create a “prepared tuna.” See HQ H226236.

Similarly, in the present case, the sodium bisulfite with which the subject potatoes have been treated simply preserves the color and taste of these potatoes without actually changing the taste. Thus, it does not actively produce a considerably longer shelf life. In fact, in its ruling request for NY 189048 and its request for reconsideration in HQ 966202, the importer of these products notes that the sodium bisulfite is used to “preserve freshness, color and flavor, not to enhance the product.” Furthermore, potatoes that are treated with sodium bisulfite can be put to all the same uses as fresh potatoes, whether fried, baked, or turned into potato chips, hash browns, or any of the other myriad uses of potatoes. As a result, potatoes treated with sodium bisulfite do not meet the definitions of “prepared” or “preserved.”

The subject potatoes have been dried, cut and sliced, but they have not been further prepared within the meaning of this heading. As a result, we find that these potatoes meet the terms of heading 0712, HTSUS, and will be classified there. Classification in heading 0712, HTSUS, is also consistent with prior CBP rulings that have classified tomatoes preserved with sodium bisulfite or a similar preservative in heading 0712, HTSUS. See NY N239661, dated March 26, 2013. Because the subject potatoes are classified in heading 0712, HTSUS, they cannot be classified in heading 2005, HTSUS, under Note 1 to Chapter 20, HTSUS.

HOLDING: Under the authority of GRII, the subject potatoes are classified in heading 0712, HTSUS. They are specifically classified in subheading 0712.90.30, HTSUS, which provides for “Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared: Other vegetables; mixtures of vegetables: Potatoes whether or not cut or sliced but not further prepared.” The column one general rate of duty is 2.3¢/kg.

Proposed Revocation of a Ruling Letter and Revocation of Treatment Relating to the Classification of Automobile Cylinder Lock Sets 120

DATES: Comments must be received on or before November 27, 2015.

In NY I84093, the components of automotive cylinder lock sets were separately classified. The lock assembly/ignition switch/wire harness was classified as a switch in heading 8536, Harmonized Tariff Schedule of the United States (HTSUS), as “Electrical apparatus for switching or protecting electrical circuits, or for making

connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders, junction boxes), for a voltage not exceeding 1,000 V” and the actual locks and articles containing locks and keys were classified in heading 8301, which provides for “Padlocks and locks (key, combination or electrically operated), of base metal; clasps and frames with clasps, incorporating locks, of base metal; keys and parts of any of the foregoing articles, of base metal.” Since the issuance of that ruling, CBP has reviewed the classification of the automobile cylinder lock sets and has determined that the cited ruling is in error.

It is now CBP’s position that the merchandise described in NYI84093, is properly classified, by application of GRI 3(b) in heading 8301, HTSUS. It is specifically provided for in subheading 8301.20.0060, HTSUS, which provides for: “Padlocks and locks (key, combination or electrically operated), of base metal; clasps and frames with clasps, incorporating locks, of base metal; keys and parts of any of the foregoing articles, of base metal: Locks of a kind used on motor vehicles.....: Other.”

Pursuant to 19 U.S.C. 1625(c)(1), CBP is proposing to revoke I84093, dated July 25, 2002, and revoke or modify any other ruling not specifically identified, to reflect the classification of the automobile cylinder lock sets according to the analysis contained in proposed Headquarters Ruling Letter (HQ) H060579, set forth as Attachment B to this document.

...

As detailed in the diagrams and pictures contained in your letter, the merchandise at issue are two lock sets used in the Honda Accord and the Honda Prelude, which consist of a lock assembly/ignition switch/wire harness that is packaged together with lock cylinders used in various locations on the vehicle and three identical keys that operate each of these locks.

According to your submission, part number 35010-SA6-674 is described in the Honda Parts Catalog as a “Lock Set, Cylinder” and is used for the 1982 Honda Accord. This lock set includes the following components: (1) One lock assembly/ignition switch/wire harness combination; (2) One lock cylinder for the glove box; (3) Two door lock cylinders; (4) One lock cylinder for the remote handle that operates the trunk release; (5) One lock cylinder for the fuel filler door; (6) One lock cylinder for the trunk; and (7) Three identical keys that operate each of the locks.

Part number 35010-SB0-67422 described in the Honda Parts Catalog as a “Lock Set, Cylinder” and is used for the 1985 Honda Prelude. This lock set includes the following components: (1) One lock assembly/ignition switch/wire harness combination; (2) One lock cylinder for the glove box; (3) Two door lock handles incorporating lock cylinders; (4) One lock cylinder for the remote handle that operates the trunk release; (5) One lock cylinder for the trunk; (6) One lock cylinder for the rear seat release mechanism; and (7) Three identical keys that operate each of the locks.

As stated in your letter, American Honda imports and packages all of the lock sets components in a single package and resells them to Honda automobile dealers as sets. This allows the automobile owner to change the locks on the vehicle, while ensuring that all locks operate from the same key.

In I84093, the components of the lock sets were separately classified. The lock assembly/ignition switch/wire harness was classified as a switch in heading 8536, Harmonized Tariff Schedule of the United States (HTSUS), as “Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders, junction boxes), for a voltage not exceeding 1,000 V.” The actual locks and articles containing locks and keys were classified in heading 8301, HTSUS, which provides for “Padlocks and locks (key, combination or electrically operated), of base metal; clasps and frames with clasps, incorporating locks, of base metal; keys and parts of any of the foregoing articles, of base metal.”

ISSUE: 1) Is the merchandise a set under GRI 3(b)?

2) If a set, is the essential character imparted by the locks and keys of heading 8301, HTSUS, or by the switch of heading 8436, HTSUS?

...

..Inasmuch as the Lock Set is composed of goods that are prima facie classifiable in more than one heading, classification cannot be resolved under GRI 1. GRI 2(b) directs that the “classification of goods consisting of more than one material or substance shall be according to the principles of rule 3.”

...
..The headings at issue only refer to part of the items in the set put up for retail sale. As such, they are regarded as equally specific and resort must be made to GRI 3(b).

...
As previously explained, the items comprising the lock sets are prima facie classifiable under different headings of the HTSUS. In this regard, the circumstances of these lock sets are analogous to those of the lock set at issue in HQ H009850, dated January 15, 2009. In that ruling, CBP determined that the motorcycle lock set (comprised of an ignition cylinder attached to an ignition switch and contact base with wire harness, a locking gas cap, and a seat lock cylinder) met the requirements as a set as it “is intended for installation on a single motorcycle to meet the need of an owner to carry a single key that will operate multiple functions of the motorcycle, all of which require the use of a key,” explaining further that “[r]equiring the use of a key to access the ignition, gas tank and storage compartment provides the owner with security for the motorcycle,” and that “[t]he use of one key for accessing all three of these functions also fulfills the owner’s need for convenience, so that the owner is not obligated to carry multiple keys for each function.” CBP concluded that “[a]ccordingly, the Lock Set is put up together to meet an owner’s need for convenience and security, through the use of a single key.” In this regard, just like the motorcycle lock set, the instant lock sets are also put together to meet an owner’s need for convenience and security, through the use of a single key.

Finally, the lock sets satisfy the third requirement for treatment as “goods put up in sets for retail sale. At importation, the lock set is packaged in a box labeled with a singular part number which American Honda sells to Honda dealers in the same packaging. It has been a long-standing position of CBP that “there is no requirement that sets actually be sold at retail.” In HQ 083968, dated July 6, 1989, CBP found that an installation kit comprised of a variety of retaining clips, hoses, clamps, brackets, connectors, tee fittings, fuel line covers and valve covers with gaskets, and delivered directly to an automobile dealer for installation into a recalled vehicle free of charge was “put up in a manner suitable for sale directly to users” and was therefore classifiable as a set (all other conditions being satisfied). See, HQ H011015, dated July 28, 2008. In sum, as with the Lock Set at issue in HQ H009850, the Cylinder Lock Sets qualify as “goods put up in sets for retail sale” under GRI 3(b).

Because the three criteria under EN X to GRI 3(b) are satisfied, the three items are considered “goods put up in sets for retail sale” and will be “classified as if they consisted of the material or component which gives them their essential character, insofar as this criterion is applicable.”

Explanatory Note VIII to GRI 3(b) explains, “[t]he factor which determines essential character will vary as between different kinds of goods. It may, for example, be determined by the nature of the material or component, its bulk, quantity, weight or value, or by the role of the constituent material in relation to the use of the goods.”

We stated in HQ H009850 that the principal reason for purchasing the lock set is to obtain three items that utilize the same key and that the common feature in all three “distinct articles” is the locking mechanism. In this regard, CBP classified the three articles incorporating the lock mechanism, rather than classifying divergent articles as locks. The reasoning in that ruling is that each of the distinct articles provide different purposes, none of which is more important than the others and, therefore, the set was not classifiable on the basis of its essential character by reference to GRI 3(b), but in accordance with GRI 3(c) under Heading 8714, HTSUS, which was last in numerical order.

Unlike the situation in HQ H009850, where the lock cylinders were integrated, each of the instant lock sets includes one wire harness assembly, six separate locks and three keys (which are classified with the locks). Therefore, taken together, the locks impart the essential character to these sets. They are greater in number, bulk and likely value. They also play a greater role in relation to the use of the good in that they are the actual lock.

...

HOLDING: *By application of GRI 3(b), lock set 35010-SA6-674 for the 1982 Honda Accord and lock set 35010-SB0-67422 for the 1985 Honda Prelude the Cylinder Lock Sets are classified in heading 8301, HTSUS. It is specifically provided for in subheading 8301.20.0060, HTSUSA, which provides for: “Padlocks and locks (key, combination or electrically operated), of base metal; clasps and frames with clasps, incorporating locks, of base metal; keys and parts of any of the foregoing articles, of base metal: Locks of a kind used on motor vehicles.....: Other.” The general, column one rate of duty is 5.7, ad valorem.*

Modification of the National Customs Automation Program (NCAP) Test Concerning the Automated Commercial Environment (ACE) Document Image System (DIS) Regarding Future Updates and New Method of Submission of Accepted Documents 128

DATES: *The modifications of the DIS test made by this notice are effective on October 15, 2015. The test will continue until concluded by way of announcement in the Federal Register.*

ADDRESSES: *Comments concerning this notice and any aspect of the test may be submitted at any time during the test via email to Monica Crockett at monica.v.crockett@cbp.dhs.gov. In the subject line of your email, please indicate “Comment on Document Image System (DIS).”*

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MESSAGING SERVICE

CSMS [15000819](#) New ACE Reports Webinar Recording Available on CBP.gov

CSMS [15000818](#) Updated ACE Development and Deployment Schedule Posted to CBP.gov

CSMS [15000817](#) ACE CERTIFICATION Deployment Friday, October 30, 2015 at 1330 ET

CSMS [15000816](#) ACE CERTIFICATION Deployment Friday, October 30, 2015 at 1330 ET

CSMS [15000815](#) ACE Reports Webinar

CSMS [15000814](#) Reminder: Area Port of Buffalo International Trade Day – November 4, 2015

CSMS [15000813](#) ACE CERTIFICATION Deployment Thursday, October 29, 2015 at 0600 ET

CSMS [15000812](#) ACE PRODUCTION Deployment Thursday, October 29, 2015 at 0600 ET

CSMS [15000811](#) UPDATE to CSMS# 15-000676 – FDA Guidance for Products from Tianjin, CN

CSMS [15000810](#) ACE CERTIFICATION Deployment Tuesday, October 27, 2015 at 1800ET

CSMS [15000809](#) Update to Automated Commercial Environment (ACE) Reports User Interface

CSMS [15000808](#) Updated ACE Filing Guide for TTB Regulated Commodities

CSMS [15000807](#) [same as above 15000808]

CSMS [15000806](#) ACE PRODUCTION Deployment Tuesday, October 27, 2015 at 0600ET

CSMS [15000805](#) FDA Guidance for Products from Tianjin, CN

CSMS [15000804](#) I want to file entries in the PGA Pilot!

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FOOD & DRUG ADMINISTRATION

RULES

Listing of Color Additives Exempt From Certification; Spirulina Extract [\[TEXT\]](#) [\[PDF\]](#)

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Immunology and Microbiology Devices; Classification of Autosomal Recessive Carrier [\[TEXT\]](#) [\[PDF\]](#)

Screening Gene Mutation Detection System

PROPOSED RULES

Filing of Food Additive Petitions:

Grocery Manufacturers Association [\[TEXT\]](#) [\[PDF\]](#)Guidance for Industry and Staff:Homologous Use of Human Cells, Tissues, and Cellular and Tissue-Based Products [\[TEXT\]](#) [\[PDF\]](#)Human Cells, Tissues & Cellular and Tissue-Based Products From Adipose Tissue Regulatory Considerations; Reopening Comment Period [\[TEXT\]](#) [\[PDF\]](#)Minimal Manipulation of Human Cells, Tissues, and Cellular and Tissue-Based Products; Reopening Comment Period [\[TEXT\]](#) [\[PDF\]](#)Regulation of Human Cells, Tissues, or Cellular or Tissue-Based Products; Public Hearing [\[TEXT\]](#) [\[PDF\]](#)Same Surgical Procedure Exception Questions and Answers Regarding the Scope of the Exception; Reopening Comment Period [\[TEXT\]](#) [\[PDF\]](#)NOTICES

Bulk Drug Substances That Can Be Used to Compound Drug Products in Accordance with the Federal Food, Drug, and Cosmetic Act

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Interim Policy on Compounding Using Bulk Drug Substances under the Federal Food, Drug & Cosmetic Act

Availability of Draft Guidance regarding Compounding Under *Section 503B* [\[TEXT\]](#) [\[PDF\]](#)Availability of Draft Guidance regarding Compounding Under *Section 503A* [\[TEXT\]](#) [\[PDF\]](#)Guidance for Industry on Controlled Correspondence Related to Generic Drug Development [\[TEXT\]](#) [\[PDF\]](#)Impact of Ad Exposure Frequency on Perception and Mental Processing of Risks and Benefit [\[TEXT\]](#) [\[PDF\]](#)

Information in Direct-to-Consumer Prescription Drug Ads

Survey of Pharmacists and Patients; Variations in the Physical Characteristics of Generic Drug Pills and Patient Perceptions [\[TEXT\]](#) [\[PDF\]](#)Nonclinical Safety Evaluation of Reformulated Drug Products and Products Intended for Administration by an Alternate Route [\[TEXT\]](#) [\[PDF\]](#)Product Development Under the Animal Rule [\[TEXT\]](#) [\[PDF\]](#)Guidance for Industry and Staff: — [\[TEXT\]](#) [\[PDF\]](#)Investigational New Drug Applications Determining Whether Human Research Studies Can Be Conducted Without an Investigational New Drug Application [\[TEXT\]](#) [\[PDF\]](#)Liposome Drug Products: Chemistry, Manufacturing & Controls; Human Pharmacokinetics and Bioavailability; and Labeling Documentation [\[TEXT\]](#) [\[PDF\]](#)Medical Devices:Exemptions from Premarket Notifications; Class II Devices; Autosomal Recessive Carrier Screening Gene Mutation Detection System; Request for Comments [\[TEXT\]](#) [\[PDF\]](#)National Environmental Policy Act; Environmental Assessments for Tobacco Products; Categorical Exclusions—Small Entity Compliance Guide [\[TEXT\]](#) [\[PDF\]](#)Public Docket Establishments:Using Technologies and Innovative Methods to Conduct Food and Drug Administration-Regulated Clinical Investigations of Investigational Drugs [\[TEXT\]](#) [\[PDF\]](#)Agency Information Collection Activities; Proposals, Submissions, and Approvals:Investigational Device Exemptions Reports and Records [\[TEXT\]](#) [\[PDF\]](#)Electronic Submission of Medical Device Registration and Listing [\[TEXT\]](#) [\[PDF\]](#)Financial Disclosure by Clinical Investigators [\[TEXT\]](#) [\[PDF\]](#)For details or additional information please contact: bywierbicki@tdllp.com

Guidance for Industry on Adverse Event Reporting for Outsourcing Facilities	[TEXT] [PDF]
Guidance for Industry on Formal Meetings Between the Food and Drug Administration & Biosimilar Biological Product Sponsors or Applicants	[TEXT] [PDF]
Labeling of Certain Beers Subject to the Labeling Jurisdiction of the Food and Drug Administration	[TEXT] [PDF]
Survey on Occurrence of Foodborne Illness Risk Factors in Selected Institutional Foodservice and Retail Food Stores Facility Types	[TEXT] [PDF]
Meetings:	
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Pulmonary-Allergy Drugs Advisory Committee and the Drug Safety and Risk Management Advisory Committee	[TEXT] [PDF]

FDA Recalls Market Withdrawals, & Safety Alerts

- [National Video Supply Issues Voluntary Nationwide Recall of All Lots of Rhino 7 3000 and Rhino 7 Platinum 3000 Capsules due to Undeclared Active Pharmaceutical Ingredients](#)
- [Hormel Foods Sales LLC Voluntarily Recalls a Limited Number of Jars of Skippy Reduced Fat Creamy Peanut Butter Spread Due to Possible Metal Pieces](#)
- [Quest Medical, Inc. Issues Recall of MPS® Delivery Set](#)
- [Sanofi US Issues Voluntary Nationwide Recall of Auvi-Q®; Due to Potential Inaccurate Dosage Delivery](#)
- [Helados La Tapatía, Inc. Retira productos debido a Alérgenos Posibles](#)
- [Premiere Sales Group Issues Voluntary Nationwide Recall of All Lots of Rhino 7 3000 and Rhino 7 Platinum 3000 Capsules due to Undeclared Active Pharmaceutical Ingredients](#)
- [Herr's Announces Voluntary Recall of Select Bags of 1.875 oz. Sour Cream and Onion Potato Chips with Packaging Error](#)
- [Sockeye Suzy's Fish Co Issuing A Voluntary Recall On All Canned Seafood Products Because Of A Possible Health Risk](#)
- [CSFPDX Of Garibaldi, Oregon Is Issuing A Voluntary Recall On All 64 oz. \(4Lbs.\) Canned Wild Albacore Tuna Because Of A Possible Health Risk](#)
- [Helados La Tapatia, Inc. Recalls Products Because of Possible Allergens](#)
- [OleBob's Seafoods Canned Seafood Recall](#)
- [Gilmore Fish Smokehouse Is Issuing A Voluntary Recall On All Canned Sturgeon And Salmon Products Because Of A Possible Health Risk](#)
- [Josephson's Smokehouse Aids In Seafood Recall](#)
- [Skinny Latina Foods, Inc. Issues Recall for Undeclared Soy](#)
- [Kanan Enterprises Conducts Nationwide Voluntary Recall of Certain Products Containing Candy Buttons](#)
- [UPC Correction: David Trail Mix Sweet & Salty Voluntarily Recalled Due To Undeclared Dairy Allergen](#)
- [Ethereal Confections Issues Allergy Alert On Undeclared Amounts Of Milk In Chocolates](#)
- [Salix Animal Health, LLC, Expands Voluntary Recall of Good N Fun Beefhide Chicken Sticks Dog Treats Due To Possible Salmonella Contamination](#)
- [Whole Foods Market Recalls Curry Chicken Salad and Classic Deli Pasta Salad in Seven States Due to Possible Listeria Contamination](#)
- [Seaquest Seafood Corp. Recalling Dehydrated & Marinated Uneviscerated Fish because of Possible Health Risk](#)

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FOREIGN ASSETS CONTROL OFFICE**NOTICES****Blocking or Unblocking of Persons and Properties**

Publication of one individual's name whose property and interests in property is blocked [\[TEXT\]](#) [\[PDF\]](#)
pursuant to *Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten
To Commit, or Support Terrorism.*

[Specially Designated Nationals List](#)

[Resource Center](#)

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FOREIGN- TRADE ZONES BOARD**NOTICES****Proposed Production Activities:**

Foreign-Trade Zone 102, St. Louis, MO; H-J Enterprises, Inc./H-J International, Inc. [\[TEXT\]](#) [\[PDF\]](#)
(Electrical Transformer Bushing Assemblies) High Ridge, MO

INTERNATIONAL TRADE ADMINISTRATION**NOTICES****Retractions of Publications:**

Final Redetermination Pursuant to Court Remand, Wheatland Tube Co. v. United States [\[TEXT\]](#) [\[PDF\]](#)
- *The International Trade Administration inadvertently published a notice, in the Federal Register on
Tuesday, October 20, 2015 -the Notice is retracted from the Federal Register, and should be disregarded.*

Antidumping or Countervailing Duty Investigations, Orders, or Reviews:

Multilayered Wood Flooring from the People's Republic of China [\[TEXT\]](#) [\[PDF\]](#)

Wooden Bedroom Furniture from the People's Republic of China [\[TEXT\]](#) [\[PDF\]](#)

Pasta from Italy [\[TEXT\]](#) [\[PDF\]](#)

Welded Stainless Pressure Pipe from India

Initiation of Antidumping Duty Investigation [\[TEXT\]](#) [\[PDF\]](#)

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Certain Vehicular Smartwatch Systems, Related Software, Components Thereof, and
Products Containing the Same [\[TEXT\]](#) [\[PDF\]](#)

Investigations; Determinations, Modifications, and Rulings, etc.:

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Certain Consumer Electronics and Display Devices with Graphics Processing and Graphics
Processing Units Therein [\[TEXT\]](#) [\[PDF\]](#)

Barium Chloride from China [\[TEXT\]](#) [\[PDF\]](#)

Certain Radiotherapy Systems & Treatment Planning Software, and Components Thereof [\[TEXT\]](#) [\[PDF\]](#)

Certain Lip Balm Products, Containers for Lip Balm, and Components Thereof [\[TEXT\]](#) [\[PDF\]](#)

[Vehicular Smartwatch Systems, Related Software](#)

[Added / Changed: Vehicular Smartwatch Systems, Related Software](#)

[Certain Iron Mechanical Transfer Drive Components from Canada and China](#)

[Certain Radiotherapy Systems and Treatment Planning Software, and Components Thereof](#)

[Certain Vision-Based Driver Assistance System Cameras, Components Thereof, and Products Containing the Same
Circular Welded Carbon-Quality Steel Pipe from Oman, Pakistan, Philippines, the United Arab Emirates,
and Vietnam](#)

For details or additional information please contact: bywierbicki@tdllp.com

PRESIDENTIAL DOCUMENTS**ADMINISTRATIVE ORDERS**

Iran Threat Reduction and Syria Human Rights Act of 2012; Delegation of Functions and Authorities	[TEXT] [PDF]
Iran; Joint Comprehensive Plan of Action Implementation	[TEXT] [PDF]
Sudan; Continuation of National Emergency	[TEXT] [PDF]
Trafficking Victims Protection Act of 2000; Delegation of Authority	[TEXT] [PDF]

CALIFORNIA[Office of Environmental Health Hazard Assessment](#)

Proposition 65 - [Additional Materials Available for the Hearing on the Center for Environmental Health Petition](#) Requesting **Repeal or Amendment of the Safe Harbor Level for Lead**

Proposition 65 - The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) intends to list "pentachlorophenol and by-products of its synthesis (complex mixture)" as known to the state to cause cancer under Proposition 65. [The public comment period runs until November 30, 2015.](#)

Proposition 65 - [Additional Comments Available on the Hazard Identification Materials for Nitrapyrin and Diaminotoluenes.](#) "Diaminotoluene (mixed)" and Nitrapyrin are Under Review for Possible Delisting
Synthetic Turf Studies - OEHHA is convening three in-person public workshops and a webinar to provide input on our study of potential chemical exposures and health impacts from synthetic turf fields. [Sign up to attend a workshop or webinar.](#)

[Proposition 65 List dated 08/25/15](#)**[Latest 60 Day Notices](#)****[AG Number 2015-01102\(View Details\)](#)**

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Crimpers w/vinyl grips

[AG Number 2015-01101\(View Details\)](#)

Chemical: Diisononyl phthalate (DINP)

Source: Hand tools w/vinyl grips

[AG Number 2015-01100\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Crimpers w/vinyl grips

[AG Number 2015-01099\(View Details\)](#)

Chemical: Diisononyl phthalate (DINP)

Source: PVC Decoy Cord

[AG Number 2015-01098\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: PVC Rainwear

[AG Number 2015-01097\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Vinyl-coated utility hooks

[AG Number 2015-01096\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: PVC-coated utility hooks

[AG Number 2015-01095\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: PVC Rainwear

[AG Number 2015-01094\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP), Diisononyl phthalate (DINP)

Source: Vinyl-coated galvanized cable

For details or additional information please contact: bywierbicki@tdllp.com

[AG Number 2015-01093\(View Details\)](#)

Chemical: Lead

Source: Glass Oil and Vinegar Bottles with Exterior Designs

[AG Number 2015-01092\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Vinyl/PVC Power Cords

[AG Number 2015-01091\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Vinyl/PVC Gloves

[AG Number 2015-01090\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Safety Vests with Vinyl/PVC Components

[AG Number 2015-01089\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Vinyl/PVC Tool Grips

[AG Number 2015-01088\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Inflatable Ring Cushions with Vinyl/PVC Air Valves

[AG Number 2015-01087\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Vinyl/PVC Bar Stool Covers

[AG Number 2015-01086\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Headphones with Vinyl/PVC Components

[AG Number 2015-01085\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Vinyl/PVC Earphone Cords

[AG Number 2015-01084\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Exercise Armbands with Vinyl/PVC Straps

[AG Number 2015-01083\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Portable Speaker Cases with Vinyl/PVC Cords

[AG Number 2015-01082\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Vinyl/PVC Manicure Cases

[AG Number 2015-01081\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Archery Bows with Vinyl/PVC Grips

[AG Number 2015-01080\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP), Diisononyl phthalate (DINP)

Source: Vinyl/PVC Gloves, Gloves with Vinyl/PVC Components, Vinyl/PVC Gloves, Vinyl/PVC Rainwear, Vinyl/PVC Aprons

[AG Number 2015-01079\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Vinyl/PVC Bicycle Handle Grips

[AG Number 2015-01078\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Vinyl/PVC Toiletry Cases, Vinyl/PVC Wallets/Pouches, Tote Bags with Vinyl/PVC Handles

For details or additional information please contact: bywierbicki@tdllp.com

[AG Number 2015-01077\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Kitchen Tongs

[AG Number 2015-01076\(View Details\)](#)

Chemical: Lead

Source: Whole cinnamon, Whole ginger

[AG Number 2015-01075\(View Details\)](#)

Chemical: Lead

Source: Ground Ginger

[AG Number 2015-01074\(View Details\)](#)

Chemical: Lead and lead compounds

Source: Brass plumbing fittings

[AG Number 2015-01073\(View Details\)](#)

Chemical: Lead and lead compounds

Source: Seaweed

[AG Number 2015-01072\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Grooming Accessories

[AG Number 2015-01071\(View Details\)](#)

Chemical: Lead

Source: Seaweed

[AG Number 2015-01070\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Oxygenics Fury 3 Way System Hose, UPC No. 0 1014792668 2

[AG Number 2015-01069\(View Details\)](#)

Chemical: Lead and lead compounds

Source: Seaweed

[AG Number 2015-01068\(View Details\)](#)

Chemical: Lead and lead compounds

Source: Seaweed Snack Foods

[AG Number 2015-01067\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Waterproof Vinyl Tarp, UPC No. 011319660106

[AG Number 2015-01066\(View Details\)](#)

Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: PVC Goal, UPC No. 00392338304001

[AG Number 2015-01065\(View Details\)](#)

Chemical: Cadmium

Source: Whole Foods Santa Barbara Live Black Mussels

[What's New](#)[HEALTH CANADA](#)[Search Database for Notices](#)[Consumer Product Safety](#) [Canada Consumer Product Safety Act Page](#)***Report an Incident Involving a Consumer Product or a Cosmetic***Incident report forms: www.healthcanada.gc.ca/reportaproduct ***Recalls & Safety Alerts:*****RECALLS:**

Flat Hot-rolled Carbon and Alloy Steel Sheet and Strip - Notice of Conclusion of Re

<http://www.cbsa-asfc.gc.ca/sima-lmsi/menu-eng.html>

Pottery Barn Kids recalls Avengers and Darth Vader Water Bottles

<http://healthycanadians.gc.ca/recall-alert-rappel-avis/hc-sc/2015/55598r-eng.php>For details or additional information please contact: bywierbicki@tdllp.com

WeMakeThings Gmbh recalls Eclat Aeon bicycle crank set and WTP Envy bicycles

<http://healthycanadians.gc.ca/recall-alert-rappel-avis/hc-sc/2015/55086r-eng.php>

Burley Design recalls Child Bicycle Trailers

<http://healthycanadians.gc.ca/recall-alert-rappel-avis/hc-sc/2015/55590r-eng.php>

Bosch Security Systems, Inc. recalls RFSM-A Radion Wireless Smoke Detector

<http://healthycanadians.gc.ca/recall-alert-rappel-avis/hc-sc/2015/55594r-eng.php>

* * *

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