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**[Third Party Testing FAQ](#)**

*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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- [Cheryl & Co. Recalls Jingle Bell Ornaments Due to Laceration Hazard; Sold Exclusively By QVC](#)
- [Seasonal Specialties Recalls Synchronized Music & Lighting System Due to Fire Hazard; Sold at Menards](#)
- [West Elm Recalls Bar Stools Due to Fall Hazard; Sold Exclusively at West Elm](#)
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*Proposed Modification of One Ruling, Revocation of One Ruling, and Proposed Revocation of Treatment Relating to the Tariff Classification of Aluminum Composite Sheets . . . . .28*

**DATES: Comments must be received on or before February 19, 2016.**

*In CBP Ruling NY 230615, CBP ruled that painted beBond ACP sheets, consisting of one polyethylene layer bonded between two aluminum sheets and having peelable plastic protective film on both sides, are to be classified under HTSUS subheading 7607.19.3000, which provides for “Aluminum foil (whether or not printed, or backed with paper, paperboard, plastics, or similar backing materials) of a thickness (excluding any backing) not exceeding 0.2 mm, not backed, other, other, cut to shape, of a thickness not exceeding 0.15 mm”; or HTSUS subheading 7607.19.6000, which provides for “Aluminum foil (whether or not printed, or backed with paper, paperboard, plastics, or similar backing materials) of a thickness (excluding any backing) not exceeding 0.2 mm, not backed, other, other”, depending on the thickness of the ACP sheet. The referenced ruling is incorrect with respect to painted beBond ACP sheets because as a composite consisting of Aluminum Sheet/Polyethylene/ Aluminum Sheet, painted beBond ACP sheets do not meet the descriptions provided in the subheadings noted above in this paragraph. It more appropriately falls within the description of “aluminum foil (whether or not printed, or backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0.2 mm” under heading 7607. As aluminum foil that is backed and does not exceed 0.2 mm, painted beBond ACP sheets, as described in NY N230615, is properly classifiable under HTSUS subheading 7607.20.50 as “Aluminum foil (whether or not printed, or backed with paper, paperboard, plastics or similar backing materials) of a thickness excluding any backing) not exceeding 0.2 mm: Backed: Other.....”*

*In CBP Ruling NY N200119, CBP ruled that ACP sheets known by the name SIGNABOND®, consisting of one polyethylene layer bonded between two aluminum sheets, are to be classified under either HTSUS subheading 7606.11.3060, which provides for “Aluminum plates, sheets and strip, of a thickness exceeding 0.2 mm, rectangular (including square), of aluminum, not alloyed, not clad, with a thickness of 6.3 mm or less”; or HTSUS subheading 7607.19.3000, which provides for “Aluminum foil, (whether or not printed, or backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0.2 mm, not backed, other, other, cut to shape, of a thickness not exceeding 0.15 mm”; or HTSUS subheading 7607.19.6000, which provides for “Aluminum foil, (whether or not printed, or backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0.2 mm, not backed, other, other...<sup>2</sup> The particular subheading depended on the thickness of the ACP sheet. The referenced ruling is incorrect because as a composite consisting of Aluminum Sheet/Polyethylene/ Aluminum Sheet, SIGNABOND® does not meet the descriptions provided in the subheadings noted above in this paragraph. It more appropriately falls within the description of “aluminum foil (whether or not printed, or backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0.2 mm” under heading 7607. As aluminum foil that is backed and does not exceed 0.2 mm, SIGNABOND®, as*

*described in NY N200119, is properly classifiable under HTSUS subheading 7607.20.50 as “Aluminum foil (whether or not printed, or backed with paper, paperboard, plastics or similar backing materials) of a thickness excluding any backing) not exceeding 0.2 mm: Backed: Other.....”*

***Proposed Revocation of One Ruling Letter and Revocation of Treatment Relating to the Tariff Classification of Certain Metal Restocking Carts ..... 44***

***DATES: Comments must be received on or before February 19, 2016.***

*In NY N019321, CBP classified a backroom restocking cart (Item #30232) in heading 8716, HTSUS, specifically in subheading 8716.80.50, HTSUS, which provides for “...other vehicles, not mechanically propelled; ...: Other vehicles: Other: Other.” CBP has reviewed NY N019321 and has determined the ruling letter to be in error. **It is now CBP’s position that the backroom restocking cart is properly classified, by operation of GRI 1, in heading 9403, HTSUS, specifically in subheading 9403.20.00, HTSUS, which provides for “Other furniture and parts thereof: Other metal furniture: Other: Counters, lockers, racks, display cases, shelves, partitions and similar fixtures.”***



...  
*Goods are classified in heading 8716, HTSUS, because they are used solely or principally for the transportation of goods from one location to another. See NY N201841, dated February 22, 2012 (classifying a metal cart where products are loaded onto the cart in one location and then moved via truck to a different location where the cart and its contents are unloaded. The cart is then transported by truck back to its original location where the process continues repeating itself); and see NY N059817, dated May 28, 2009 (classifying a multi-purpose hand truck).*

*Conversely, goods classified within the furniture provisions of chapter 94, specifically, within the shelved furniture provision of heading 9403, are not designed for the transportation of goods. These carts cannot be used solely or principally for the transportation of goods from location to location. Rather, as furniture, the carts must be of the type to fit and equip establishments with movable articles used in the readiness of an area for purposes of supporting various human activities. See NY N227676, dated August 20, 2012 (classifying various rolling metal shelves).*

*Upon review of the information contained in NY N019321, as well as a photograph included in the submission, the subject backroom restocking carts are not primarily constructed for the purposes of transportation of goods from one location to another, or for multiple locations, via commercial conveyance or personal vehicle. These carts are the types of carts ordinarily used by retail establishments to store items prior to their being displayed for customer purchase. They have multiple shelves for holding merchandise or other goods. Further, the sides are completely open for clear viewing of the goods contained thereon, which also makes the carts suitable for display purposes.*

*The carts may have a secondary use such as moving or distributing goods throughout a store, for stocking purposes. However, this intra-store movement is not equivalent to the long-haul movement associated with the trailers of heading 8716, HTSUS. Additionally, the subject goods are not described as a food carts or buffet trolleys of the kind used in railway stations which are provided for as included in heading 8716, HTSUS, pursuant to the EN 87.16(B)(3).*

*Accordingly, these carts fall within the definition of “furniture” and are classified in heading 9403, HTSUS, the provision which provides for racks, display cases and shelves. This is consistent with other*

rulings classifying identical or substantially similar goods. See NY N233415, dated October 16, 2012 (classifying rolling metal racks, referred to as food service carts).

**HOLDING:** By application of GRI 1, the subject backroom restocking cart (Item #30232), is classified in heading 9403, HTSUS. It is specifically provided for under subheading 9403.20.0026, HTSUSA (Annotated), which provides for, “Other furniture and parts thereof: Other metal furniture: Other: Counters, lockers, racks, display cases, shelves, partitions and similar fixtures: Other”. The column one, general rate of duty is free.

**Revocation of a Ruling Letter and Revocation of Treatment Relating to the Tariff Classification of Style # 10162 “Kalo” Footwear . . . . . 52**

**EFFECTIVE DATE:** This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after March 21, 2016.

In NY N212500, CBP determined that the subject style # 10162 “Kalo” footwear was classifiable under subheading 6404.19.3940 HTSUS, which provides for “[f]ootwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials: “[f]ootwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials: [f]ootwear with outer soles of rubber or plastics: [o]ther: [f]ootwear with open toes or open heels; footwear of the slip-on type, that is held to the foot without the use of laces or buckles or other fasteners, the foregoing except footwear of subheading 6404.19.20 and except footwear having a foxing or foxinglike band wholly or almost wholly of rubber or plastics applied or molded at the sole and overlapping the upper: [o]ther: [o]ther: [o]ther: [f]or men.” Based upon our analysis, we have determined that the subject style # 10162 “Kalo” footwear is properly classified under subheading 6404.19.1520, HTSUS, the provision for “[f]ootwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials: [f]ootwear with outer soles of rubber or plastics]: [o]ther: [f]ootwear having uppers of which over 50 percent of the external surface area (including any leather accessories or reinforcements such as those mentioned in note 4(a) to this chapter) is leather: [f]or men.”

Pursuant to 19 U.S.C. § 1625(c)(1), CBP intends to revoke NY N212500 and any other ruling not specifically identified, to reflect the proper classification of the style # 10162 “Kalo” footwear according to the analysis contained in proposed Headquarters Ruling Letter (“HQ”) H219215, set forth as Attachment B to this document.

**ISSUE:** Whether the subject merchandise is classified as footwear in subheading 6404.19.39, HTSUS, or as footwear under subheading 6404.19.15, HTSUS?

...

Chapter 64, Note 4, HTSUS, provides in relevant part:

(a) The material of the upper shall be taken to be the constituent material having the greatest external surface area, no account being taken of accessories or reinforcements such as ankle patches, edging, ornamentation, buckles, tabs, eyelet stays or similar attachments.

General Explanatory Note (“EN”) D to Chapter 64 reads, in pertinent part, as follows:

For the purposes of the classification of footwear in this Chapter, the constituent material of the uppers must also be taken into account. The upper is the part of the shoe or boot above the sole. However, in certain footwear with plastic moulded soles or in shoes of the American Indian moccasin type, a single piece of material is used to form the sole and either the whole or part of the upper, thus making it difficult to identify the demarcation between the outer sole and the upper. In such cases, the upper shall be considered to be that portion of the shoe which covers the sides and top of the foot. The size of the uppers varies very much between the different types of footwear, from those covering the foot and the whole leg, including the thigh (for example, fishermen’s boots), to those which consist simply of straps or thongs (for example, sandals).

If the upper consists of two or more materials, classification is determined by the constituent material which has the greatest external surface area, no account being taken of accessories or

reinforcements such as ankle patches, protective or ornamental strips or edging, other ornamentation (e.g., tassels, pompons or braid), buckles, tabs, eyelet stays, laces or slide fasteners. The constituent material of any lining has no effect on classification.



OluKai Kalo Sandal [image NOT in Ruling - found on Amazon.com]

[see: [http://www.amazon.com/OluKai-Kalo-Sandal-Dark-Java/dp/B005LCNXHY/ref=cm\\_cr\\_pr\\_product\\_top?ie=UTF8](http://www.amazon.com/OluKai-Kalo-Sandal-Dark-Java/dp/B005LCNXHY/ref=cm_cr_pr_product_top?ie=UTF8)]

In the instant case, the upper of the style # 10162 “Kalo” footwear consists of both textile and leather materials. As previously noted, two of the three leather overlays stitched to the sides of the upper are lasted under and cemented to the sole. [one overlay on either side] In NY N212500, CBP determined that the third leather overlay, which is stitched to the center of the textile substrate, is an accessory or reinforcement. The Test Report by Intertek Testing Services indicated that the ESAU, including the leather component considered to be an accessory or reinforcement, consisted of 51.49% leather. Chapter 64, Note 4, HTSUS, provides that accessories or reinforcements are not considered when calculating the ESAU. Since the leather overlay attached to the center of the textile substrate, which was determined to be an accessory or reinforcement, is not considered when calculating the ESAU, the constituent material which provides the greatest ESAU is textile. Accordingly, the merchandise is considered to have uppers of textile materials and classifiable in heading 6404, HTSUS. However, in determining the applicable subheading, we find that the leather component considered to be an accessory or reinforcement is included in the ESAU requirement. Specifically, the merchandise is classified under subheading 6401.19.15, HTSUS, which provides for footwear having uppers of which over 50% of the external surface area is leather including any leather accessories or reinforcement such as those mentioned in Note 4(a) to Chapter 64.

**HOLDING: By application of GRI 1, the subject style # 10162 “Kalo” is classified in heading 6404, HTSUS, more specifically, it is classified in subheading 6404.19.1520, HTSUS, which provides for: “[f]ootwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials: [f]ootwear with outer soles of rubber or plastics]: [o]ther: [f]ootwear having uppers of which over 50 percent of the external surface area (including any leather accessories or reinforcements such as those mentioned in note 4(a) to this chapter) is leather: [f]or men.” The 2015 column one, general rate of duty is 10.5% ad valorem.**

**Revocation of Ruling Letter Relating to the Eligibility of Copper Sheets for a Partial Duty Exemption Under Subheading 9802.00.60, HTSUS . . . . . 58**

**EFFECTIVE DATE: This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after March 21, 2016.**

**ISSUE: Whether imported copper sheets made from scraps generated from splitting, annealing, milling, rolling, brushing, or levelling imported copper in the United States are eligible for a partial duty exemption under subheading 9802.00.60, HTSUS.**

...  
HQ 560430 found that the copper sheets were “articles of metal” for the purposes of subheading 9802.00.60, HTSUS, and that the copper sheets were “exported for further processing.” However, it found that the exported scrap was not “subject to a process of manufacture” in the United States.

With respect to the requirement that the scrap metal be “manufactured or subject to a process of manufacture in the United States,” CBP has noted that there are two types of scrap metal: “obsolete” and “industrial.” See HQ 555096, dated July 7, 1989. “Obsolete” scrap consists of worn-out or discarded metal articles, and “industrial scrap” consists of leftover metal from manufacturing operations performed on metal articles. In HQ 555096, it was determined that in order for scrap to be eligible under the statute where foreign metal is involved, the scrap must be obtained from the processing of foreign metal in the U.S. Furthermore, industrial scrap was

found eligible under subheading 9802.00.60, HTSUS, where it resulted from the production of metal tool boxes in the United States. See NY N018085, dated Oct. 26, 2007. In NY N018085, an importer brought aluminum coils from Greece into the United States, where they were cut into sheets and sold to U.S. customers who manufactured them into tool boxes. As a result of the tool box manufacturing process, aluminum scrap was produced, which was sold to the aluminum supplier in Greece where it was melted down and used in the production of aluminum coils to be shipped back to the U.S. The new coils were eligible under subheading 9802.00.60, HTSUS, because the metal article from which the scrap was obtained (the tool boxes) was initially subjected to a process of manufacture in the United States (the cutting of aluminum coils into sheets).

Similarly, the metal article from which the scrap was obtained in this case (the imported copper sheets) was initially subjected to a variety of processes of manufacture in the United States including splitting, annealing, milling, rolling, brushing, and leveling. HQ 560430 is therefore incorrect that “the copper scrap, which is a by-product of the imported metal sheets that were subjected to a manufacturing process in the U.S., does not, itself, meet the subheading 9802.00.60 criteria of being an article of metal which was ‘manufactured in the United States or subject to a process of manufacture in the United States’ before exportation back to Germany to be made into more sheets of copper.”

Accordingly, similar items are eligible for a partial duty exemption so long as the items are returned to the United States for further processing and the documentary requirements of 19 C.F.R. § 10.9 are met. **HOLDING:** The imported copper sheets made from scraps generated from splitting, annealing, milling, rolling, brushing, or levelling imported copper in the United States are eligible for a partial duty exemption under subheading 9802.00.60, HTSUS.

**Revocation of a Ruling Letter and Revocation of Treatment Relating to the Country of Origin Marking of Two Styles of Wristwatches . . . . . 63**

**EFFECTIVE DATE:** This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after March 21, 2016.

...

.. In HQ 562543 CBP ruled that two styles of wristwatches should be marked with Japan as the country of origin. **It is now CBP’s opinion that the wristwatches should be marked with both Japan and China as the countries of origin.**

Pursuant to 19 U.S.C. §1625(c)(1), CBP proposes to revoke HQ 562543 and to revoke or to modify any other ruling not specifically identified, in order to reflect the country of origin marking analysis contained in the proposed Headquarters Ruling Letter (HQ) H234796, set forth as Attachment B to this notice.

...

The merchandise at issue is described in HQ 562543 as follows:

Fossil Partners submitted two styles of dual function analog and digital wristwatches (Style AM3404 and JR8051). The time of day function of hours and minutes is determined by the quartz analog movement and displayed on a dial with the hour and minute hands. The digital portion of the movement shows the seconds by means of a liquid crystal display. The quartz analog movements are made in Japan. The digital movements are made in China. The various component parts are assembled in China into a wristwatch. The country of origin of the watch cases was not provided.

The samples are marked by means of a paper hang tag attached to the watch. The paper hang tag also has the logo, style number and the price on it. Style AM3404 is marked “Japan Movement Strap Made In China.” Style JR8051 is marked “China Movement Strap Made In China.” There is no country of origin marking on the case or watch face.

#### **ISSUE:**

1. What is the country of origin of the two styles of wristwatches?
2. What is the proper country of origin marking for the two styles of wristwatches?

For details or additional information please contact: [bywierbicki@tdllp.com](mailto:bywierbicki@tdllp.com)

...

For marking purposes under 19 U.S.C. § 1304, CBP has long held that the country of origin of a watch is the country of manufacture of the watch movement.<sup>1</sup> The term “watch movement,” is defined in Note 3 to Chapter 91 of the Harmonized Tariff Schedule of the United States (HTSUS), which provides as follows:

3. For the purposes of this chapter, the expression “watch movements” means devices regulated by a balance wheel and hairspring, quartz crystal or any other system capable of determining intervals of time, with a display or a system to which a mechanical display can be incorporated. Such watch movements shall not exceed 12 mm in thickness and 50 mm in width, length or diameter.

In this case, both styles of wristwatches have two movements: a movement that determines the hours and minutes of day (the quartz analog movement) and a movement that determines the seconds (the digital movement). The quartz analog movements are manufactured in Japan and the digital movements are manufactured in China. As the country of origin for wristwatches is the country of manufacture of the watch movement, the countries of origin for both wristwatches are Japan and China. See NY N237747, dated February 22, 2013 (a wristwatch with a quartz analog movement from Thailand and an opto-electronic movement from China had both Thailand and China as countries of origin).

The countries of origin for marking purposes are Japan and China. **The wristwatches should be marked “Analog Movement-Japan” and “Digital Movement China”, or with similar words. In order to satisfy the requirements of 19 U.S.C. § 1304, they must be legibly marked with the name of the country of manufacture of the watch movement in a conspicuous place. Marking with secure self-adhesive labels or with hangtags is acceptable, as long as the labels or hangtags will reach the ultimate purchaser of the watch. If paper sticker labels or hangtags are used, 19 C.F.R. § 134.44 provides they must be affixed in a conspicuous place and so securely that unless deliberately removed they will remain on the article while it is in storage or on display and until it is delivered to the ultimate purchaser.**

While the wristwatches must be conspicuously, legibly, and permanently marked in accordance with 19 U.S.C. § 1304, movements and cases must also be marked in accordance with the special marking requirements set forth in Additional U.S. Note 4 to Chapter 91. Additional U.S. Note 1 (b) defines “cases” as follows:

1. For the purposes of this chapter:

b) The term “cases” embraces inner and outer cases, containers and housings for movements, together with parts or pieces, such as, but not limited to, rings, feet, posts, bases and outer frames, and any auxiliary or incidental features, which {with appropriate movements} serve to complete the watches, clocks, time switches and other apparatus provided for in this chapter.

Additional U.S. Note 4 to Chapter 91 provides, in pertinent part, as follows:

4. Special Marking Requirements: With the following exceptions, any movement or case provided for in this chapter, whether imported separately or attached to an article provided for in this chapter, shall not be permitted to be entered unless conspicuously and indelibly marked by cutting, die-sinking, engraving, stamping {including by means of indelible ink}, or mold-marking {either indented or raised}, as specified below. Movements with opto-electronic display only and cases designed for use therewith, whether entered as separate articles or as components of assembled watches or clocks, are excepted from the marking requirements set forth in this note. The special marking requirements are as follows:

(a) Watch movements shall be marked on one or more of the bridges or top plates to show:

- (i) the name of the country of manufacture;
- (ii) the name of the manufacturer or purchaser; and
- (iii) in words, the number of jewels, if any, serving a mechanical purpose as frictional bearings.

...

(c) Watch cases shall be marked on the inside or outside of the back to show:

- (i) the name of the country of manufacture; and
- (ii) the name of the manufacturer or purchaser.

For details or additional information please contact: [bywierbicki@tdllp.com](mailto:bywierbicki@tdllp.com)

*Additional U.S. Note 4(a), HTSUS, requires that watch movements shall be marked on one or more of the bridges or top plates to show the name of the country of manufacture, the name of the manufacturer or purchaser; and, in words, the number of jewels, if any serving a mechanical purpose as frictional bearings. Additional U.S. Note 4(c), HTSUS, requires that watch cases shall be marked on the inside or outside of the back cover to show the name of the country of manufacture, and the name of the manufacturer or purchaser. The country of manufacture in these requirements refers to where the movements are manufactured rather than where the watch was made. The special marking must be accomplished by one of the methods specified in Chapter 91, Additional U.S. Note 4.*

**Both wristwatches contain two movements, a quartz analog movement and a digital movement. The special marking requirements of Chapter 91, Additional U.S. Note 4 of the HTSUS do not apply to the opto-electronic movement.** Therefore, only the quartz analog movement and its case must be marked in accordance with the special marking requirements set forth in Additional U.S. Note 4 to Chapter 91.

***HOLDING: Japan and China are the countries of origin for both wristwatches. Under 19 U.S.C. § 1304, each wristwatch must be marked conspicuously, legibly and permanently with these two countries of origin. Additionally, the quartz analog movement and its case must be marked according to the special requirements set forth in Additional U.S. Note 4 to Chapter 91, HTSUS.***

***Proposed Revocation of a Ruling Letter and Proposed Revocation of Treatment Relating to Physical Vacuum Deposition Process as a “Use” for Purposes of Same Condition Drawback . . . . . 71***

***DATES: Comments must be received on or before February 19, 2016.***

*In Headquarters Ruling Letter H170624, CBP determined that a PVD process was considered a “use” for purposes of qualifying for same condition drawback pursuant to 19 U.S.C. §1313(j)(1). Pursuant to 19 U.S.C. § 1625(c)(1), CBP proposes to revoke Headquarters Ruling Letter H170624 and revoke or modify any other ruling not specifically identified, in order to reflect the proper determination that the described PVD process on chromed brass plumbing fixtures did not qualify as a “use” for purposes of same condition drawback pursuant to 19 U.S.C. § 1313(j)(1).*

...

*The application of a coating is not listed as one of the operations within 19 U.S.C. § 1313(j)(3) or the regulations that will not be treated as a “use” of that merchandise. However, in HQ 225985, dated November 30, 1995, CBP concluded that the listed operations in 19 U.S.C. § 1313(j)(3) do not impose a limitation on the qualifying operations, but are illustrative of operations that do not amount to a manufacture or production.*

*In this case, despite the significant capital and labor expenditure, the operations you listed would not constitute a manufacture or production within the meaning of 19 C.F.R. § 191.2(q). In your recent submission you clarified that the plumbing fixtures, while brass, have already undergone an electroplating process before entry, by which the brass was chrome plated.*

*This chrome plating makes the plumbing fixtures scratch resistant and anti-corrosive, while the chrome plated surface makes the PVD process work better. In the PVD process, the brass fixtures are placed in a vacuum and a metallic target (titanium, zirconium, or chromium) is exposed to a low voltage-high current arc that vaporizes and ionizes the metal. High purity gases are then introduced into the vacuum and the metallic ions react with the gases on the surface of the merchandise, concurrently bonding to it, and creating a new surface on the plumbing fixtures. Based on CBP’s lab research and analysis, this surface is more anti-corrosive, scratch resistant, and harder than the chrome plated surface. It also has the effect of changing the color of the plumbing fixtures. However, the imported plumbing fixtures are not transformed into a new and different product. As noted in Anheuser-Busch, “[t]here must be a transformation; a new and different article must emerge, having a different name, character, or use.”*

...

*Since the merchandise is exported to Canada, the transactions are subject to the North American Free Trade Agreement (“NAFTA”) provisions. Section 203 of the NAFTA Implementation Act (Public Law 103–*

For details or additional information please contact: [bywierbicki@tdllp.com](mailto:bywierbicki@tdllp.com)



182; 107 Stat. 2057, 2086; 19 U.S.C. § 3333), provides for the treatment of goods subject to the limitations of NAFTA drawback. Pursuant to 19 U.S.C. § 3333(a) (Section 203(a) of the NAFTA), goods “subject to NAFTA drawback” means any goods other than, among other things:

(2) A good exported to a NAFTA country in the same condition as when imported into the United States. For purposes of this paragraph—

(A) processes such as testing, cleaning, repacking, or inspecting a good, or preserving it in its same condition, shall not be considered to change the condition of the good[.] . . .

Therefore, in addition to goods being “unused” per 19 U.S.C. §1313(j)(1), the goods must also be in the “same condition” upon export as they were on import in order not to be subject to the limitations of NAFTA drawback. CBP regulations issued pursuant to the Act provide guidance for implementing the requirement that the imported and exported merchandise be in the “same condition.” Under 19 C.F.R. § 181.45(b), the term “same condition” is defined in 19 C.F.R. § 181.45(b)(1) as follows:

For purposes of this subpart, a reference to a good in the “same condition” includes a good that has been subjected to any of the following operations provided that no such operation materially alters the characteristics of the good:

- (i) Mere dilution with water or another substance;
- (ii) Cleaning, including removal of rust, grease, paint or other coatings;
- (iii) Application of preservative, including lubricants, protective encapsulation, or preservation paint;
- (iv) Trimming, filing, slitting, or cutting;
- (v) Putting up in measured doses, or packing, repacking, packaging or repackaging; or
- (vi) Testing, marking, labeling, sorting or grading.

19 C.F.R. § 181.45(b)(1). In HQ 228961, dated Jan. 23, 2002, we stated that the list in 19 C.F.R. § 181.45(b)(1) was not exhaustive and that the analysis should focus on whether the item in question is in the “same condition,” which includes the absence of “material alterations to the characteristics of the good” regardless of the processes to which the item was subjected.

CBP has previously considered whether certain operations materially alter the characteristics of a good for purposes of section 181.45(b)(1). In HQ 230166, dated January 29, 2004, CBP determined that repackaging dried fruits and dried vegetables from industrial-sized bulk packages to smaller packages did not constitute a material alteration. However, HQ 231066 determined that the adding of a desiccant (i.e., silicon dioxide) to dried fruits and vegetables to prevent powdered food from clumping did materially alter the imported merchandise. This increase in pourability was a material alteration of the character of the imported powder resulting in a product that was not in the same condition as the imported product, and therefore not within the scope of 19 C.F.R. § 181.45(b). Therefore, whether an operation materially alters the characteristics of a good is a determination driven by the facts.

Most relevant to the case here, is HQ 225874, dated March 22, 1996, where CBP determined that the painting of John Deere parts with John Deere identifying colors was an operation of greater magnitude than those listed in section 181.45(b)(1). In HQ 225874, we noted that it was:

*[S]ignificant that “painting” itself is not included in this list. We consider painting to be an operation of greater magnitude than the operations stated in 19 CFR 181.45(b)(1)(iii). Painting is more than the application of preservative, including lubricants, protective encapsulation, or preservation paint. We believe that if painting were intended to be within the scope of 19 CFR 181.45(b)(1), it would have been clear from the language of 19 CFR 181.45(b)(1). This is not the case. [...] Accordingly, because the parts are not exported in the same condition as they were imported, they are not eligible for drawback pursuant to 19 CFR 181.45(b).*

**Here, the PVD process is expensive and labor intensive, much more so than the simple painting described in HQ 225874. The PVD process, which imparts a coating that not only changes the fixtures’ color, but also makes them more scratch and corrosive resistant, as well as harder, is a more significant**

*process than simply painting. Thus, we find that the PVD process is an operation of greater magnitude than the operations stated in 19 C.F.R. 181.45(b)(1)(iii). As a result, the brass fixtures are not in the “same condition” as when they were imported and are subject to the limitations of NAFTA drawback.*

***HOLDING:*** Upon reconsideration, we find that the application of a PVD coating on chromed brass plumbing fixtures does not constitute a “use” for purposes of 19 U.S.C. § 1313(j). ***However, we find that the merchandise is not exported in the “same condition” and is subject to NAFTA limitations on drawback. We have reached this conclusion based on the very specific set of facts presented. As a result, Headquarters Ruling Letter H170624, dated August 3, 2012, is hereby revoked.***

***Proposed Revocation of Ruling Letters and Proposed Revocation of Treatment Relating to the Tariff Classification of Certain Nozzles for the Dispersing or Spraying of High-Pressure Liquids . . . . . 85***

***DATES: Comments must be received on or before February 19, 2016.***

*.. In ruling letter NY N162918, CBP determined that two stainless steel sewer cleaning nozzles with steel inserts from Germany, the Standard Nozzle (Part No. 1-0133-6020) and the Chisel Nozzle (Part No. 1-0212-8020S), were classified in heading 7326, Harmonized Tariff Schedule of the United States (HTSUS). Specifically, CBP classified the nozzles in subheading 7326.90.85, HTSUS, which provides for “Other articles of iron or steel: Other: Other: Other: Other.” **It is now CBP’s position that the nozzles are properly classified in subheading 8424.90.90, HTSUS, which provides for “Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines; parts thereof: Parts: Other.”***

*In ruling letter NY C87376, CBP determined that certain TWK-model cleaning heads, used to clean tanks, reactors, pipes, totes, vessels, and other enclosed spaces, were classified in heading 8424, HTSUS. Specifically, CBP classified the articles under subheading 8424.89, HTSUS, which provides for “Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines; parts thereof: Other appliances.” **It is now CBP’s position that the TWK-model cleaning heads are properly classified in subheading 8424.90.90, HTSUS, which provides for “Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines; parts thereof: Parts: Other.”***

...

*The instant Nozzles are described as a type of spray nozzle or turbulent sprayer head, specifically designed to attach to a sewer cleaning machine and produce high pressure jets of water to remove blockages, debris, and residue from pipes and similar vessels. As such, they are not suitable for use as general parts. Consequently, insomuch as the Nozzles are suitable for use solely or principally with the spraying machines, they are classified in heading 8424, HTSUS, as parts of a jet projecting machine, per Note 2(b) to Section XVI HTSUS. **Specifically, they are classified under subheading 8424.90.90, HTSUS, which provides for “Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines; parts thereof: Parts: Other.”***

*Our analysis also applies to the classification of Chemac Inc’s TWK-model cleaning heads (the “Cleaning Heads”), which CBP classified in ruling letter NY C87376 under subheading 8424.89.70, HTSUS, the 1998 provision for “Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines; parts thereof: Other appliances: Other: Other.”*

*In NY C87376, CBP described the Cleaning Heads as devices used to clean tanks, reactors, pipes, totes, vessels, and other enclosed spaces. Similar to the instant Nozzles, the Cleaning Heads are attached to a*

high pressure water pump via a pressure hose. High pressure water is fed to the Cleaning Head via the hose, and when the water reaches the Cleaning Head, the force of the water is used to propel the device, thereby projecting high-pressure jets of water against the walls of the vessel. The cleaning force of the water jets clean the vessel walls by blasting through surface contaminants.

.. Because the physical characteristics and function of the Cleaning Heads are substantially similar to the Nozzles, we find that they are appropriately described as parts of a water-jet cleaning system. Consequently, the Cleaning Heads are properly classified, pursuant to Note 2(b) to Section XVI, HTSUS, in subheading 8424.90.90, HTSUS, which provides for “Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines; parts thereof: Parts: Other.”

**HOLDING** *By application of GRIs 1 (Note 2(b) to Section XVI) and 6, the Nozzles and Clean Heads are classified under heading 8424, HTSUS, specifically in subheading 8424.90.90, HTSUS, which provides for “Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines; parts thereof: Parts: Other.” The column one, general rate of duty is Free.*

**Proposed Revocation of Two Ruling Letters and Proposed Revocation of Treatment Relating to the Tariff Classification of Hydraulic Braking System Parts . . . . . 97**

**DATES: Comments must be received on or before February 19, 2016.**

In ruling letter NY A85455, CBP determined that certain automotive hydraulic braking system parts were classified in heading 8708, Harmonized Tariff Schedule of the United States (HTSUS). Specifically, CBP classified the hydraulic braking system parts in subheading 8708.39.50, HTSUS, which provides for “Parts and accessories of the motor vehicles of headings 8701 to 8705: Brakes and servo-brakes and parts thereof: Other: For other vehicles.” Similarly, in ruling letter HQ 952719, CBP classified certain tractor hydraulic braking system parts for in subheading 8708.39.10, HTSUS (1993), which provided for “Parts and accessories of the motor vehicles of headings 8701 to 8705: Brakes and servo-brakes and parts thereof: Other: For tractors suitable for agricultural use.” It is now CBP’s position that the hydraulic braking system parts are properly classified, by operation of General Rule of Interpretation (GRI 1), in chapter 84, HTSUS, which provides, in pertinent part, for machinery, mechanical appliances, and the parts thereof.

...  
Upon review of the physical characteristics and functions of the brake master cylinders, CBP finds that the articles are properly described as pumps of heading 8413, HTSUS, because they are displacement pumps used to pressurize hydraulic fluid within a hydraulic braking system. Pistons located inside the brake master cylinders are manually operated by movement of the brake pedal, and the linear action of the pistons forces hydraulic fluid from the brake fluid reservoir into the hydraulic lines of the brake system. Accordingly, CBP observes that the function of the brake master cylinders is akin to the description of “reciprocating positive displace pumps” provided in EN 84.13(A), HS, and therefore concludes that the brake master cylinders are properly identified as pumps of heading 8413, HTSUS, by application of GRI 1. Specifically, they are classifiable in subheading 8413.50.00, HTSUS, which provides for “Pumps for liquids, whether or not fitted with a measuring device; liquid elevators; parts thereof: Other reciprocating positive displacement pumps.” See NY N096530, dated March 30, 2010; NY N107239, dated June 10, 2010; NY N014493, dated June 24, 2007; and NY N011979, dated June 28, 2007.

With respect to the classification of the brake fluid reservoir and brake fluid reservoir mounting bracket, this office notes that CBP has previously classified parts of brake master cylinders in subheading 8413.91, HTSUS. See NY N109341, dated July 6, 2010; and NY N113336, dated July 23, 2010. Pursuant to Note 2(b) to Section XVI, HTSUS, parts of pumps for liquids, if suitable for use solely or principally with a

*machine of heading 8413, HTSUS, are to be classified with the machines of the same heading. Consequently, because the brake fluid reservoir and brake fluid reservoir mounting bracket supply hydraulic fluid to the brake master cylinder and are suitable for use solely or principally with master brake cylinders, the reservoir and the reservoir mounting bracket are classified as “parts” of heading 8413, HTSUS, pursuant to Note 2(b) to Section XVI. Specifically, they are classified under subheading 8413.91., HTSUS, which provides for “Pumps for liquids, whether or not fitted with a measuring device; liquid elevators; part thereof: Parts: Of pumps: Other.”*

*Because the brake master cylinders, brake fluid reservoir, and brake fluid reservoir mounting bracket are classified in heading 8413, HTSUS, their classification under heading 8708, HTSUS is precluded by operation of Note 2(e) to Section XVII, HTSUS.*

...  
*.. Upon review of the physical characteristics and function of the brake wheel cylinder, CBP finds that the brake wheel cylinder features pistons operated by pressurized hydraulic fluid. When hydraulic pressure is applied to the brake wheel cylinder, the movement of the pistons converts the hydraulic pressure into mechanical force to move the vehicle’s brake shoes. Accordingly, CBP observes that the brake wheel cylinder is akin in both form and function to the “hydraulic cylinder” exemplar described by the ENs to heading 84.12, HS, and is properly classified, by application of GRI 1, in heading 8412, HTSUS. Specifically, the brake wheel cylinder is classifiable in subheading 8412.21.00, HTSUS. See NY N091357, dated February 1, 2010.*

*With respect to the classification of the caliper piston, this office again notes that pursuant to Note 2(b) to Section XVI, HTSUS, parts of hydraulic power engines and motors, if suitable for use solely or principally with a machine of heading 8412, HTSUS, are to be classified with the machines of the same heading. Consequently, because the caliper piston is necessary for the proper functioning of the brake wheel cylinder and is suitable for use solely or principally within the brake wheel cylinder, the caliper piston is classified in heading 8412, HTSUS, as a part of a linear acting cylinder. Specifically, it is classified under subheading 8412.90.90, HTSUS, which provides for “Other engines and motors, and parts thereof: Parts: Other.”*

*Because the brake wheel cylinder and caliper piston are classified in heading 8412, HTSUS, their classification under heading 8708, HTSUS is precluded by operation of Note 2(e) to Section XVII, HTSUS. **HOLDING: By application of GRIs 1 (Note 2(a) to Section XVI) and 6, the brake master cylinders are classified under heading, 8413, HTSUS, specifically in subheading 8413.50.00, HTSUS, which provides for “Pumps for liquids, whether or not fitted with a measuring device; liquid elevators; part thereof: Other reciprocating positive displacement pumps.”** The column one, general rate of duty is Free.*

*By application of GRIs 1 (Note 2(b) to Section XVI), the brake fluid reservoir and brake fluid reservoir mounting bracket are classified under heading, 8413, HTSUS, specifically in subheading 8413.91.90, HTSUS, which provides for “Pumps for liquids, whether or not fitted with a measuring device; liquid elevators; part thereof: Parts: Of pumps: Other.” The column one, general rate of duty is Free.*

*By application of GRIs 1 (Note 2(a) to Section XVI) and 6, the brake wheel cylinder is classified under heading, 8412, HTSUS, specifically in subheading 8412.21.00, HTSUS, which provides for “Other engines and motors, and parts thereof: Hydraulic power engines and motors: Linear acting (cylinders).” The column one, general rate of duty is Free.*

*By application of GRIs 1 (Note 2(b) to Section XVI), the caliper piston is classified under heading, 8412, HTSUS, specifically in subheading 8412.90.90, HTSUS, which provides for “Other engines and motors, and parts thereof: Parts: Other.” The column one, general rate of duty is Free.*

**Proposed Revocation of Two Ruling Letters and Proposed Revocation of Treatment Relating to the Tariff Classification of Clutch Master Cylinders and Clutch Slave Cylinders ..... 113**  
**DATES: Comments must be received on or before February 19, 2016.**

In NY A86849 and NY A85456, CBP classified a clutch master cylinder and clutch slave cylinder for motor vehicles in subheading 8708.93.75, Harmonized Tariff Schedule of the United States (HTSUS) (1996), which provides for “Parts and accessories of the motor vehicles of heading 8701 to 8705: Other parts and accessories: Clutches and parts thereof: For other vehicles: Other.”

CBP has reviewed ruling letter NY A86849 and NY A85456 and determined those letters to be in error. It is now CBP’s position that the clutch master cylinder is classified in heading 8413, HTSUS, which provides for “Pumps for liquids, whether or not fitted with a measuring device; liquid elevators,” and that the clutch slave cylinder is classified in heading 8412, HTSUS,

Upon review of the physical characteristics and function of the instant clutch master cylinder, CBP finds that the article is properly described as a pump of heading 8413, HTSUS, because it is a displacement pump that is used to pressurize hydraulic fluid within a hydraulic clutch system. Pistons located inside the clutch master cylinder are manually operated by movement of the clutch pedal, and the linear action of the pistons forces hydraulic fluid from the hydraulic fluid reservoir into the hydraulic lines of the clutch system. Accordingly, CBP observes that the function of the clutch master cylinder pistons to pressurize fluid within a hydraulic clutch system is akin to the description of “reciprocating positive displacement pumps” provided in EN 84.13(A), HS, and therefore concludes the clutch master cylinder is properly identified as a pump of heading 8413, HTSUS. Specifically, the clutch master cylinder is classifiable, by application of GRI 1, in subheading 8413.50.00, HTSUS, which provides for, “Pumps for liquids, whether or not fitted with a measuring device; liquid elevators; parts thereof: Other reciprocating positive displacement pumps.” See NY N096530, dated March 30, 2010; NY N107239, dated June 10, 2010; NY N014493, dated June 24, 2007; and NY N011979, dated June 28, 2007.

...  
..Upon review of the physical characteristics and function of the clutch slave cylinder at issue in ruling letters NY A85456 and NY 86849, CBP finds that the slave cylinder features pistons operated by pressurized hydraulic fluid. When hydraulic pressure is applied, the movement of the pistons converts the hydraulic pressure into mechanical force to move a clutch pressure plate. Accordingly, CBP observes that the clutch slave cylinder is akin in both form and function to the “hydraulic cylinder” exemplar described in the ENs to heading 84.12, HS, and is properly classified, by application of GRI 1, in heading 8412, HTSUS. Specifically, the clutch slave cylinder is classifiable in subheading 8412.21.00, HTSUS. See NY N091357, dated February 1, 2010.

Because the clutch master cylinder and clutch slave cylinder are classifiable in headings 8413 and 8412, HTSUS, respectively, their classification under heading 8708, HTSUS, is precluded by operation of Note 2(e) to Section XVII, HTSUS.

**HOLDING:** By application of GRIs 1 (Note 2(a) to Section XVI) and 6, the clutch master cylinder is classified under heading, 8413, HTSUS, specifically in subheading 8413.50.00, HTSUS, which provides for “Pumps for liquids, whether or not fitted with a measuring device; liquid elevators; part thereof: Other reciprocating positive displacement pumps.” The column one, general rate of duty is Free.

By application of GRIs 1 (Note 2(a) to Section XVI) and 6, the clutch slave cylinder is classified under heading, 8412, HTSUS, specifically in subheading 8412.21.00, HTSUS, which provides for “Other engines and motors, and parts thereof: Hydraulic power engines and motors: Linear acting (cylinders).” The column one, general rate of duty is Free. Duty rates are provided for convenience

**Proposed Revocation of Four Ruling Letters and Proposed Revocation of Treatment Relating to the Tariff Classification of Parts of Front-Differential and Rear-Differential Assemblies for Motor Vehicles**  
..... 125

**DATES: Comments must be received on or before February 19, 2016.**

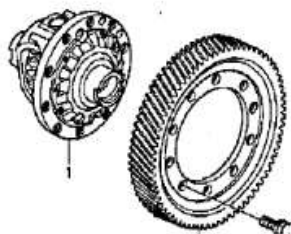
In ruling letters NY N009213 and N009215, CBP classified certain parts of front-differential and rear-differential assemblies for motor vehicles in heading 8708, HTSUS, specifically subheading 8708.99.68, HTSUS, which provides for “Parts and accessories of the motor vehicles of headings 8701 to 8705: Other

parts and accessories: Other: Other: Other: Other: Other parts for power trains.” **It is now CBP’s position that the parts of front-differential and rear-differential assemblies are properly classified, by operation of General Rules of Interpretation (GRIs) 1 and 6, in subheading 8708.50.89, HTSUS, which provides for “Parts and accessories of the motor vehicles of headings 8701 to 8705: Drive-axels with differential, whether or not provided with other transmission components, and non-driving axels; parts thereof: Parts: For vehicles of heading 8703: Other: Other: Other.”**

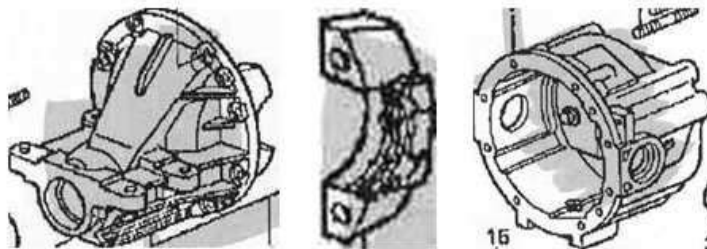
...  
 In parallel with the revocation of ruling letters NY N009213 and N009215, CBP believes that it can best meet its obligations regarding the sound administration of the HTSUS and other customs and related laws by also revoking ruling letters NY N186430 and N186432, issued to Honda on September 30, 2011. See 19 C.F.R. § 177.7(a). In ruling letters NY N186430 and N186432, CBP reclassified Honda’s differential assembly parts under subheading 8708.50.89, HTSUS. However, although CBP stated in ruling letters NY N186430 and N186432 that the ruling letters were being issued “to correct” previous ruling letters N009213 and N009215, CBP did not initiate a notice and comment procedure pursuant to 19 U.S.C. § 1625(c) to propose to revoke the prior ruling letters.

Accordingly, pursuant to 19 U.S.C. § 1625(c), CBP is revoking ruling letters NY N009213, N009215, N186430, and N186432.

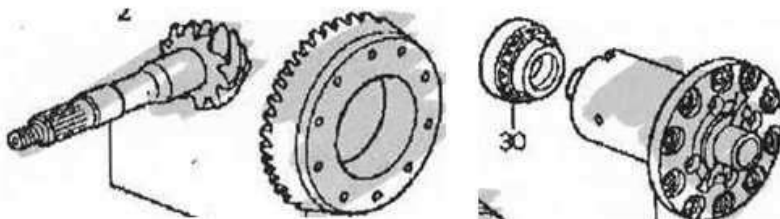
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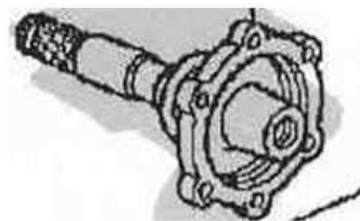
Honda “Differential” (Part #41100-RCCL-J05) and “Final Driven Gear” (Part #41233-RCL-010). See NY N009213, dated April 10, 2007.



Honda “Differential Carrier Assembly” (Part #41120-PCZ-003 and Part #41120-PCZ-023), “Differential Case Assembly” (Part #41170-PCZ-003), “Differential Assembly” (Part #41100-PCZ-003).



Honda “Final Gear Set” (Part #41220-PCZ-003).



Honda “Output Shaft Assembly” (Part #40443-PCZ-003). See NY N009215, dated April 12, 2007.

As an initial matter, CBP notes that there is no dispute that the instant parts of front-differential and rear-differential assemblies for motor vehicles are properly classified under heading 8708, HTSUS. In accord with the Notes to Section XVII, HTSUS, the articles are suitable for use solely or principally with the motor vehicles of headings 87.01 to 87.05, HS, and are not excluded by the provisions of Note 2 to Section XVII. Accordingly, because the merchandise is prima facie classifiable in heading 8708, HTSUS, this matter concerns the proper classification of the merchandise at the 6-digit, subheading level of heading 8708.

Prior to the adoption of the 2007 amendments to the HS Nomenclature, subheading 8708.50, HTSUS, did not provide for parts of drive-axels with differentials<sup>3</sup>, and it was the practice of CBP to classify such merchandise under subheading 8708.99, HTSUS, which provided for “other parts and accessories” of the motor vehicles of heading 8701 to 8705. See, e.g., NY R03507, dated March 30, 2006 (classifying cast iron

automotive carrier assemblies under subheading 8708.99, HTSUS); and HQ 965369, dated May 9, 2002 (classifying differential carriers under subheading 8708.99, HTSUS).

However, as result of amendments to the subheadings of heading 87.08, HS, adopted by the World Customs Organization (WCO) in the 2007 edition of the HS Nomenclature, the U.S. International Trade Commission (ITC) amended subheading 8708.50, HTSUS, with respect to the classification of parts of drive-axels with differentials and non-driving axels. Accordingly, the current version of subheading 8708.50, HTSUS, provides, in pertinent part, for “drive-axels with differentials, whether or not provided with other transmission components, and non-driving axels; parts thereof” (emphasis added).

The Honda “Differential” (Part #41100-RCCL-J05), “Final Driven Gear” (Part #41233-RCL-010), “Differential Carrier Assembly” (Part #41120-PCZ-003 and Part #41120-PCZ-023), “Differential Case Assembly (Part #41170-PCZ-003), “Differential Assembly” (Part #41100-PCZ-003), “Final Gear Set” (Part #41220-PCZ-003), and “Output Shaft Assembly” (Part #40443-PCZ-003) are component parts of differential assemblies for motor vehicles. Inasmuch as they are suitable for use solely or principally with the motor vehicles of headings 87.01 to 87.05, HS, they are prima facie described by the terms of subheading 8708.50, HTSUS, as parts of drive-axels with differentials, whether or not provided with other transmission components. See EN 87.08(E), HS. Specifically, they are classified in subheading 8708.50.89, HTSUS, by application of GRI 1.

**HOLDING:** By application of GRI 1, the Honda “Differential” (Part #41100-RCCL-J05), “Final Driven Gear” (Part #41233-RCL-010), “Differential Carrier Assembly” (Part #41120-PCZ-003 and Part #41120-PCZ-023), “Differential Case Assembly (Part #41170-PCZ-003), “Differential Assembly” (Part #41100-PCZ-003), “Final Gear Set” (Part #41220-PCZ-003), and “Output Shaft Assembly” (Part #40443-PCZ-003) are classified in heading 8708, HTSUS, specifically in subheading 8708.50.89, HTSUS, which provides for “Parts and accessories of the motor vehicles of headings 8701 to 8705: Drive-axels with differentials, whether or not provided with other transmission components, and non-driving axels; parts thereof: Parts: For vehicles of heading 8703: Other: Other: Other.” The 2015 column one, general rate of duty is 2.5% ad valorem.

### MESSAGING SERVICE

CSMS [16000038](#) All filers may file entries in the PGA Pilot to transition to ACE!

CSMS [16000037](#) ACE PRODUCTION Deployment Friday 1/22/2016 0600 ET, impact Entry Summary

CSMS [16000036](#) Deployed to ACE Production & Certification this morning 1/21/2016 0600 ET, PGA items

CSMS [16000035](#) ACE ABI DRAFT Reconciliation CATAIR Document Posted to CBP.GOV

CSMS [16000034](#) All filers may file entries in the PGA Pilot to transition to ACE!

CSMS [16000033](#) Update on ACE Reports

CSMS [16000032](#) OGA-FDA INTERMITTENT OASIS OUTAGES ON 1/16/2016

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- [Fresh Express Announces Precautionary Recall of a Limited Quantity of 12 oz. Baby Spinach Due to Possible Allergen Exposure](#)
- [Abbott's Compounding Pharmacy Issues Voluntary Recall of All Lots of Unexpired Sterile Human and Animal Compounded Products Due to Lack of Sterility Assurance](#)
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**Proposed Production Activities:**

Klaussner Furniture Industries, Inc., Subzone 230D, Asheboro and Candor, NC

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**Subzone Expansion Applications:**

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**Production Activities:**

Bauer Manufacturing Inc., Foreign-Trade Zone 265, Conroe, TX; Correction

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**Sales at Less Than Fair Value:**

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Certain Uncoated Paper From Indonesia

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Certain Uncoated Paper From Portugal

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Certain Uncoated Paper From the People's Republic of China

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Diamond Sawblades and Parts Thereof from the People's Republic of China



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- Notice of Court Decision Not in Harmony With the Final Results of Review and Amended Final Results of the Antidumping Duty Administrative Review [\[TEXT\]](#) [\[PDF\]](#)
- Steel Wire Garment Hangers from the People's Republic of China; 2014–2015 [\[TEXT\]](#) [\[PDF\]](#)
- Initiation of Less-Than-Fair-Value Investigation:
- Large Residential Washers from the People's Republic of China [\[TEXT\]](#) [\[PDF\]](#)

## INTERNATIONAL TRADE COMMISSION

### NOTICES

- Generalized System of Preferences: Possible Modifications, 2015 Review [\[TEXT\]](#) [\[PDF\]](#)
- Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
- Certain Biaxial Integral Geogrid Products From China [\[TEXT\]](#) [\[PDF\]](#)
- Investigations; Determinations, Modifications, and Rulings, etc.:
- Generalized System of Preferences Possible Modifications; Review [\[TEXT\]](#) [\[PDF\]](#)
- Hydrofluorocarbon Blends and Components from China [\[TEXT\]](#) [\[PDF\]](#)
- Certain Laser-Driven Light Sources, Subsystems Containing Laser-Driven Light Sources, and Products Containing Same [\[TEXT\]](#) [\[PDF\]](#)
- Certain RF Capable Integrated Circuits and Products Containing the Same [\[TEXT\]](#) [\[PDF\]](#)
- Windshield Wiper Devices and Components Thereof [\[TEXT\]](#) [\[PDF\]](#)
- [Potassium Permanganate from China](#)
- [Generalized System of Preferences: Possible Modifications, 2015 Review](#)
- [Certain Beverage Brewing Capsules, Components Thereof, and Products Containing Same](#)

## OFFICE OF UNITED STATES TRADE REPRESENTATIVE

### NOTICES

- Intent to Initiate Covered Agreement Negotiations with the European Union [\[TEXT\]](#) [\[PDF\]](#)
- International Trade Data System Visa Requirements under the African Growth and Opportunity Act [\[TEXT\]](#) [\[PDF\]](#)

## CALIFORNIA

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

#### [Proposition 65 List dated 08/25/15](#)

#### [Latest 60 Day Notices](#)

##### [AG Number 2016-00040\(View Details\)](#)

Chemical: Acetaldehyde, Formaldehyde (gas), Nicotine

Source: Electronic Cigarette Devices

##### [AG Number 2016-00039\(View Details\)](#)

Chemical: Lead

Source: Lock Sets with Brass Keys

##### [AG Number 2016-00038\(View Details\)](#)

Chemical: Diethanolamine

Source: Dr. Teal's Body Wash Soothe & Sleep with lavender; UPC: 811068011583

##### [AG Number 2016-00037\(View Details\)](#)

Chemical: Benzophenone

Source: Clinique even better SPF 20; UPC: 020714395230, SkinMedica; UPC: 367402232102, Beyond Coastal Active Facestick SPF 30; UPC: 093039150167

##### [AG Number 2016-00036\(View Details\)](#)

Chemical: Lead

Source: Braided wire

For details or additional information please contact: [bywierbicki@tdllp.com](mailto:bywierbicki@tdllp.com)

[AG Number 2016-00035\(View Details\)](#)

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

Source: Pressure Washer Pump Saver, UPC No 0 1167506039 8

[AG Number 2016-00034\(View Details\)](#)

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

Source: Go-To-Work Kit, G-Tek Gloves, 34-C232/L, Go-To-Work Kit, Ear Plug (red cord), 265-100C/NRR32

[AG Number 2016-00033\(View Details\)](#)

Chemical: Benzene, Ethylbenzene, Radionuclides, Sulfur dioxide, Toluene

Source: Discharge into a source of drinking water

[AG Number 2016-00032\(View Details\)](#)

Chemical: Lead

Source: Brass Replacement Closet Rings

Comments: This is an amendment to Ag Notice 2015-01166.

[AG Number 2016-00031\(View Details\)](#)

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

Source: Cake Kit/ Piping Bag

[AG Number 2016-00030\(View Details\)](#)

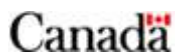
Chemical: Di(2-ethylhexyl)phthalate (DEHP)

Source: Selfie Stick/ Rubber handle

[AG Number 2016-00029\(View Details\)](#)

Chemical: Lead

Source: Lock Sets with Brass Keys

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- ◆ [Britax Child Safety, Inc. recalls B-Ready Stroller and B-Ready Top Seats](#)
- ◆ [Brita Child Safety, Inc. recalls Certain B-Safe Infant Carrier Car Seats](#)
- ◆ [Chillafish Recalls Children's Balance Bikes](#)
- ◆ [The Last Glue recalls The Last Glue® Adhesive](#)
- ◆ [Williams-Sonoma, Inc. d/b/a West Elm recalls West Elm Saddle Counter Stool](#)

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