

## ANALYSIS OF CLASSIFICATION OF VARIOUS PARTS FOR MACHINES OF CHAPTER 84 AND 85

Parts for machines and mechanical appliances classified in Section XVI (chapter 84 and 85) often may be classified within these chapters irregardless of apparent GRI1 direction to other seemingly more accurate headings. One must look first in the Section and chapter legal notes to determine if the article is excluded from classification in either chapter 84 or 85 (see below). Exclusions are generally covered under Legal note 1 in each section and chapter. Importantly, you must consider legal note 2 of Section XVI.

Note 2, Section XVI states, that "...parts of machines (not being parts of the articles of Heading 8484 (gaskets), 8544 (Insulated wire or cable), 8545 (electrodes), 8546 (electrical insulators), or 8547 (ceramic insulators) are to be classified according to the following rules:

(a) Parts which are goods included in any of the headings of chapters 84 and 85 (other than Heading 8485 Heading 8548) ***are in all cases*** to be classified in their respective headings; The plain meaning is: Articles which are specifically provided for by name in the headings in chapters 84 and 85 are to be classified under them. Example: a pump for an internal combustion engine is classified under the heading for 'pumps', Bearings are classified under their own headings .

(b) Other parts, if suitable for use solely or principally with a particular kind of machine, or with a number of machines of the same heading (including a machine of Heading 8479 or 8543) are to be classified with the machines of that kind. However, parts which are equally suitable for use principally with the goods of Heading 8517 Heading 8525 to 8528 are to be classified in Heading 8517; the plain language of part (b) tell us that certain parts have a general use with various machines but can be recognized as being parts of a particular machine by virtue of being designed or engineered for a particular machine.

(c) All other parts are to be classified in Heading 8485 or 8548. The plain intent of this last part of Note 2 is to cover parts which have general use in machines but can be used interchangeably in a variety of machines.

Therefore, one may conclude that **most** parts for the machines or mechanical appliances covered by the headings in chapter 84 and 85 are classified in these chapters.

NOTE: SOME ARTICLES **MAY NOT BE CLASSIFIED** IN CHAPTERS 84 OR 85.

Plastic, rubber and textile conveyor or transmission belts	Stoves, barbeques, braziers – domestic <b>(Heading 7321)</b>
Rubber, vulcanized (articles) – other than hard rubber	Radiators for central heating, air heaters and distributors – incorporating a motor driven fan or blower, Domestic appliances (electrical) <b>(Heading 7322)</b>
Leather articles	Interchangeable tools and dies and tools, cutlery <b>(articles of Chapter 82)</b>
Bobbins, reels and typewriter ribbons and similar items	Opticals and instruments for measuring and/or checking, medical instruments <b>(Chapter 90)</b>
Perforated card (for textile making machy)	Clocks and watches <b>(Chapter 91)</b>
Drill pipe	Toys and games and sports equipment <b>(Chapter 95)</b>
Endless belts of wire or strip	Machy and Machy parts of ceramic material
Millstones and grindstones	Digital cameras
Certain floors sweepers	Electrical blankets,. Clothing and furniture
Articles of glass	Padlocks, Locks Keys, desk tops articles, bells and gongs (non-electric) flexible base metal tubing, clasps, stoppers, sign plates, flux rods. <b>(Chapter 83)</b>
Base metal mountings, fittings and similar articles suitable for furniture, doors, staircases, windows, blinds, base metal hat racks, brackets and similar fixture, castors with mountings, automatic door closers and base metal parts, This <i>heading covers general purpose classes of base metal accessory fittings and mountings, such as are largely used on furniture, doors, windows, coachwork, etc. ... The heading does not, however, extend to goods forming an essential part of the structure of the article, such as window frames or swivel devices for revolving chairs HQ 962366</i> <b>(Heading 8302)</b>	<b>Parts of General use:</b> Parts of General Use are generally described as the following – made of base metal or similar articles of plastic. Note 1(g) to Section XVI. Note 2 to Section XV (see below)

Heading	Parts of General use ----- General description
7307	Tubes or pipe fittings
7312	Stranded wire, cables, clings of iron or steel
7315	Chain
7317	Nails, tacks and staples
7318	Screws, bolts, nuts, rivets, cotter pins, washers and similar articles
	Sprints, leaves for springs
8301	Padlocks, locks and locking clasps
8302	Base metal fittings for doors, windows coachwork, furniture and similar items
8308	Clasps
8310	Sing plates of base metals
8306	Bells, gongs – non-electric, mirrors of base metal

**Articles of general use may be classified** in chapters 84 or 85 if the part is “solely or principally” for a particular machine or a particular family of machines that are themselves classified under a heading in chapter 84 or 85.

Example: **Brackets** In HRL 089269, brackets were classified under subheading 8302.50.00. It is now our position that the brackets should have been classified under subheading 8431.20.00, as parts suitable for use solely or principally ... machines classified under the machinery of Heading 8427.

Example: NY I88814 **Brackets** are used as components of plastic injection molding machines. *They are made of steel and hold panel switches and other articles at various locations within the molding machine.* The subject brackets can only be used as components of the injection molding machine made by one company. HQ 952019 held that certain brackets which were designed and engineered for use with forklift trucks were not parts of general use and were not classifiable as brackets of subheading 8302.50.00. Rather, these brackets were classified as parts of forklift trucks. Similarly, the brackets under consideration are not parts of general use, but are suitable for use solely with plastic injection molding machines. Accordingly, the applicable subheading for the brackets described above will be 8477.90.8510, which provides for other parts of plastic injection-molding machines.

Other important classification comments.

Example: (HQ952019) **Plastic return hoses** for Fork lift trucks. If the return hoses have been designed and engineered to be used solely or principally with forklift trucks, they are to be classified under subheading 8431.20.00, as parts suitable for use solely or principally with the machinery of Heading 8427, (Fork lift trucks). Otherwise, they are to be classified under subheading 8485.90-00, as other machinery parts, not containing electrical connectors, insulators..., and not specified or included elsewhere in this chapter..

Example: (HQ952019) A **hydraulic line fitting** for Fork Lift trucks was classified under subheading 8485.90, as other machinery parts, not containing electrical connectors, ..., coils, contacts or other electrical features, and not specified or included elsewhere. Here, Customs appears to have concluded that if this Hydraulic fitting was not solely or principally used in fork lift trucks – therefore excluded from Section XVI as a part of general use, (Note 1(g)). However, if they are solely or principally used for machines or mechanical appliances of chapter 84 or 85, they would be included in Section XVI and fall under the heading 8485.90-00, upon the assumption that the fittings of this type are capable of use with various machines in Section XVI.

Example: In HRL 088484, a **muffler** was classified under subheading 8485.90-00, pursuant to Note 2(c) to Section XVI. It is now our position that the muffler should have been classified under subheading 8431.20.00, HTSUS, as parts suitable for use solely or principally with the machinery of Heading 8427.

Example: **Chain support**, described as a part of pulley - actually a mounting surface for a grooved pulley, classification should be 8483.90-80, which provides for parts of pulleys.

***Special note:***

8485.90-00 as other machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, and not specified or included elsewhere in this chapter. This heading is used for articles that are capable of use with various machines in ch. 84 and 85.

Machines and mechanical or electrical appliances of section 16 (Ch. 84, 85) are excluded from chapter 39 (articles of plastic) **BUT PARTS** of these articles are NOT excluded from chapter 39 See Legal note 2 (parenthetical comment is to be interpreted strictly) (HQ 952019)