

International Trade Today Chapter 90-97 Summary of Changes January 2022

“The WCO’s removal from its Harmonized System of six-digit subheadings for roll film cameras based on a low volume of trade means U.S. tariff provisions for cameras of heading 9006 are reorganized, though some provisions eliminated by the WCO remain in the U.S. Harmonized Tariff Schedule at the eight-digit level.

Previously divided at the six-digit level between provisions for SLR cameras, cameras for roll film of less than 35mm, cameras for roll film of 35mm and other cameras, provisions for “other cameras” in heading 9006 are simplified into six-digit subheading 9006.53 for cameras for 35mm roll film, and subheading 9906.59 for other cameras.

Subheadings for SLR cameras and cameras for roll film of less than 35mm are now included at the eight-digit level under subheading 9006.59. New [subheadings](#) 9006.53 through 9003.59 for “other cameras” (i.e., not cameras for underwater, aerial, medical or forensic purposes or instant print cameras) in the 2022 tariff schedule are as follows:

9006.53.02 - free—Cameras for roll film of a width of 35 mm (free)

For roll film width a width less than 35mm:

9006.59.01 - Single lens reflex (SLR) cameras (free)

9006.59.05 - 110 cameras (free)

9006.59.08 - Other hand-held fixed focus cameras (4%)

9006.59.10 - Other fixed focus cameras (not hand-held) (free)

9006.59.12 - Not fixed focus, non-SLR, valued not over \$10 each (6.8%)

9006.59.15 - Not fixed focus, non-SLR, valued over \$10 each (free)

Other cameras:

9006.59.20 - Cameras of a kind used for preparing printing plates or cylinders (free)

9006.59.40 - Fixed focus cameras (4%)

9006.59.12 - Not fixed focus, valued not over \$10 each (6.8%)

9006.59.15 - Not fixed focus, valued over \$10 each (free).

‘Parts of General Use’ for Medical and Dental Implants Classifiable in Chapter 90

New notes are added to the tariff schedule to clarify that “parts of general use” of base metal and similar articles of plastics are classifiable in heading 9021 as “orthopedic appliances, including crutches, surgical belts and trusses; splints and other fracture appliances; artificial parts of the body; hearing aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability; parts and accessories thereof,” rather than alongside other parts of general use in chapters 39 and 73.

New note 1(f) to Chapter 90, which previously excluded parts of general use, is amended to say that “articles specially designed for use exclusively in implants in medical, surgical, dental or veterinary sciences are to be classified in heading 9021.”

Note 2(a) to Section XV, which defines “parts of general use” throughout the tariff schedule as including “articles of heading 7307, 7312, 7315, 7317 or 7318 and similar articles of other base metals,” is **INTERNATIONAL TRADE TODAY—6**

amended to clarify that the term “parts of general use” does not cover “articles specially designed for use exclusively in implants in medical, surgical, dental or veterinary sciences (heading 9021).”

Expansion of Heading 9022 to Apparatus That Use Radiation

The coverage of heading 9022 for “apparatus based on the use of X-rays or of alpha, beta or gamma radiations” is expanded. The text of the heading now covers “apparatus based on the use of X-rays or of alpha, beta, gamma or other ionizing radiations.” Likewise, the superior text to subheadings 9022.21 through 9022.29 is amended to say it covers apparatus based on the “use of alpha, beta, gamma or other ionizing radiations.”

Classification Changes for Mass Spectrometers, MRIs, ‘Other’ Analysis Instruments and Apparatus

WCO changes to certain six-digit classification provisions of heading 9027 result in classification changes in the U.S. tariff schedule for mass spectrometers, nuclear magnetic resonance instruments (MRIs) and other instruments and apparatus for physical and chemical analysis. The change means mass spectrometers will be separately classified in all WCO HS member countries, which will “facilitate the monitoring and control of dual use items,” the WCO said.

Subheading 9027.80 is deleted from the tariff schedule, and replaced by the following new [subheadings](#), all duty-free:

Other instruments and apparatus:

9027.81.00 - Mass spectrometers

9027.89.25 - Other, Nuclear magnetic resonance instruments

9027.89.45 - Other, electrical

9027.89.80 - Other, Other.

Classification Changes for Measuring and Checking Devices for Semiconductors, Integrated Circuits

Changes to the text of subheadings covering electrical measuring and checking instruments of heading 9030 and other measuring and checking instruments of heading 9031 affect classification of instruments used to measure or check semiconductor wafers or devices, including integrated circuits.

Instruments for checking integrated circuits. Subheading 9030.82.00 for “other instruments and apparatus” of heading 9030 “for measuring or checking semiconductor wafers or devices” is amended to add “(including integrated circuits).” Likewise, subheading 9031.41.00 for other optical instruments and appliances “for inspecting semiconductor wafers or devices or for inspecting photomasks or reticles used in manufacturing semiconductor devices” is amended to add “(including integrated circuits)” after both “semiconductor wafers or devices” and “semiconductor devices.”

Instruments for checking voltage, current, resistance or power. The superior text to subheadings 9030.31 through 9030.39, which cover multimeters and other instruments and apparatus for measuring or **INTERNATIONAL TRADE TODAY—7**

checking voltage, current, resistance or power, is amended to clarify that it does not cover instruments “for measuring or checking semiconductor wafers or devices.”

Classification Change for Clock and Watch Springs

The elimination by the WCO of a six-digit subheading for watch and clock springs results in a change in classification for the articles. Subheading 9114.10 for “springs, including hairsprings” for clocks and watches is eliminated. In the U.S. tariff schedule, new eight-digit subheadings are created under the six-digit provision for “other” clock or watch parts. New subheading 9114.90.34 covers “springs, including hairsprings” for watches, dutiable at 7.3%, and 9114.90.38 covers “other” springs, including hairsprings (i.e., for clocks), dutiable at 4.2%.

Tariff Provisions Added for Wood Seats, Furniture Parts Made of Wood

New [subheadings](#) are added to heading 9401 for seats and parts of seats, made of wood, as well as to heading 9403 for furniture parts made of wood. The WCO says these changes were adopted “to enhance the coverage of wood species in order to get a better picture of trade patterns.”

Swivel seats. Subheading 9403.30 for “swivel seats with variable height adjustment” is replaced by new subheadings 9401.31.00 for “swivel seats with variable height adjustment: of wood,” and 9401.39.00 for “swivel seats with variable height adjustment: other.” While the U.S. had an eight-digit subheading for swivel seats with a wooden frame, classification at the six-digit level now means separate classification is required for all WCO HS members.

Seats convertible into beds. Likewise, subheading 9401.40 for “seats other than garden seats or camping equipment, convertible into beds” is replaced by subheading 9401.41.00 for such seats made of wood, and 9401.49.00 for other, non-wood seats other than garden seats or camping equipment, convertible into beds.

Seat parts. Subheading 9401.90 for parts of seats is replaced by new subheadings 9401.91 for seat parts made of wood, and 9401.99 for other, non-wood seat parts. Seats for motor vehicles now feature in the classification scheme for seat parts. The new subheadings for seat parts are as follows:

Of wood:

- 9401.91.15 - Of seats of a kind used for motor vehicles
- 9401.91.20 - Of bent-wood seats
- 9401.91.90 - Other

Other:

- 9401.99.10 - Of seats of a kind used for motor vehicles
- 9401.99.25 - Of cane, osier, bamboo or similar materials
- 9401.99.35 - Of rubber or plastics
- 9401.99.90 - Other.

Other wood furniture parts. Finally, subheading 9403.90 for parts of “other furniture” (i.e., other than seats or medical, surgical, dental or veterinary furniture) is replaced by subheading 9403.91 for parts of wood, and 9403.99 for parts of other materials. The new classification scheme is as follows:
9403.91.00 - Parts, of wood

Other:

9403.99.10 - Of furniture of a kind used for motor vehicles
9403.99.20 - Other, Of cane, osier, bamboo or similar materials
9403.99.30 - Other, Of rubber or plastics: of reinforced or laminated plastics
9403.99.40 - Other, Of other rubber or plastics
9403.99.50 - Other, Of textile material, except cotton
9403.99.90 – Other, Other.

Quilts, Bedspreads, Eiderdowns, Duvets and Comforters Moved to New Subheading

In another change mandated at the six-digit level by the WCO, quilts, bedspreads, eiderdowns and duvets (comforters) are being assigned a new six-digit subheading, resulting in their move in the U.S. tariff schedule from subheadings 9404.90.80 and 9404.90.85. The move, which will harmonize classification between WCO HS members, was made “to facilitate application of the rules of origin,” the WCO said.

New subheading 9404.40 covers “quilts, bedspreads, eiderdowns and duvets (comforters),” and is subdivided into subheading 9404.40.10 for those made from “cotton, not containing any embroidery, lace, braid, edging, trimming, piping exceeding 6.35 mm or applique work,” dutiable at 4.4%, and 9404.40.90 for “other” quilts, bedspreads, eiderdowns and duvets (comforters), dutiable at 12.8%.

Subheadings 9404.90.80 and 9404.90.85, which covered “quilts, eiderdowns, comforters and similar articles” under the residual “other” subheading for mattress supports and articles of bedding, are deleted, and new subheading 9404.90.96 replaces 9404.90.95 as the residual “other” category for the heading, dutiable at 7.3%.

Heading for Lamps and Lighting Fittings Overhauled to Provide for LEDs, Solar Lighting

Heading 9405 for lamps and lighting fittings seeks significant changes in the 2022 tariff schedule, though some structural elements are retained, and the heading, as well as references throughout the tariff schedule for “lamps and lighting fittings,” are renamed “luminaires and lighting fittings” per a change adopted by the WCO.

Chapter 94 to the tariff schedule is renamed, “Luminaires and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated nameplates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included.” The chapter title had previously begun “lamps and lighting fittings.”

The article description of heading 9405 is also amended to refer to “luminaires and lighting fittings” instead of “lamps and light fittings.”

New subdivisions for LED, solar lights. Previous subheadings 9405.10, 9405.20, 9405.30 and 9405.60 are each subdivided into provisions for luminaires and lighting fittings “designed for use solely with light-emitting diode (LED) light sources,” and “other.” Subheading 9405.40 is subdivided into provisions for photovoltaic luminaires and light fittings designed solely for use with LED light sources, non-photovoltaic luminaires and light fittings designed for use solely with LED light sources, and “other.” There are no changes to subheadings 9405.50, 9405.91 and 9405.99, except to change references to “lamps” in those subheadings and superior text to “luminaires.”

Beneath the new divisions based on use of LEDs and solar power, however, each of these subheadings remains substantially the same, with each new subdivision divided the same as the previous subheadings into provisions for lights of brass, base metals and other materials.

Minor name changes were also adopted by the WCO. “Electric table, desk, bedside or floor-standing lamps” becomes “electric table, desk, bedside or floor-standing luminaires.” Lighting sets is now “lighting strings.” The structure of the amended portions of heading 9405 is now as follows:

Chandeliers and other electric ceiling or wall lighting fittings, excluding those of a kind used for lighting public open spaces or thoroughfares:

—*Designed for use solely with light-emitting diode (LED) light sources:*

9405.11.40 - Of brass (3.9%)

9405.11.60 - Of other base metals (7.6%)

9405.11.80 - Other chandeliers and lighting fittings, designed for use solely with LEDs (3.9%)

—*Other chandeliers and electric lighting fittings*

9405.19.40 - Of brass (3.9%)

9405.19.60 - Of other base metals (7.6%)

9405.19.80 - Other chandeliers and lighting fittings (3.9%)

Electric table, desk, bedside or floor-standing luminaires:

—*Designed for use solely with light-emitting diode (LED) light sources*

9405.21.40 - Of brass (3.7%)

9405.21.60 - Of other base metals (6%)

9405.21.80 - Other table, desk, bedside or floor-standing luminaires, designed for use solely with LEDs (3.9%)

—*Other chandeliers and electric lighting fittings*

9405.29.40 - Of brass (3.7%)

9405.29.60 - Of other base metals (6%)

9405.29.80 - Other electric table, desk, bedside or floor-standing luminaires (3.9%)

Lighting strings of a kind used for Christmas trees:

9405.31.00 - Designed for use solely with light-emitting diode (LED) light sources (8%)

9405.39.00 - Other (8%)

Other electric luminaires and lighting fittings:

—Photovoltaic, designed for use solely with light-emitting diode (LED) light sources:

9405.41.40 - Of brass (4.7%)

9405.41.60 - Of other base metals (6%)

9405.41.82 - Other, light-emitting diode (LED) backlights modules (free)

9405.41.84 - Other (3.9%)

—Other, designed for use solely with light-emitting diode (LED) light sources:

9405.42.40 - Of brass (4.7%)

9405.42.60 - Of other base metals (6%)

9405.42.82 - Other, light-emitting diode (LED) backlights modules (free)

9405.42.84 - Other (3.9%)

—Other:

9405.49.00 - Other (3.9%)

Illuminated signs, illuminated name-plates and the like:

—Designed for use solely with light-emitting diode (LED) light sources

9405.61.20 - Of brass (5.7%)

9405.61.40 - Of other base metals (6%)

9405.61.60 - Other illuminated signs and name plates, designed for use solely with LEDs (5.3%)

—Other chandeliers and electric lighting fittings

9405.69.20 - Of brass (5.7%)

9405.69.40 - Of other base metals (6%)

9405.69.60 - Other illuminated signs and name plates (5.3%).

Notes throughout tariff schedule changed to reflect new terminology. Notes throughout the tariff schedule that referred to lamps are amended to reflect the change in terminology adopted by the 2022 tariff schedule. Note 1(l) to Chapter 94 itself now says the chapter excludes toy “luminaires” instead of “lamps,” but that “lighting strings” rather than “electric garlands” remain classifiable in Chapter 94 rather than “electric garlands.” “Lighting strings” also replaces “electric garlands” in note 1(u) to Chapter 95, which excludes them from classification in that chapter.

Section and chapter notes that were changed to refer to “luminaires” instead of “lamps” include note 2(x) to Chapter 39, note 2(k) to Chapter 42, note 1(o) to Chapter 44, note 2(e) to Chapter 46, note 1(s) to Section XI, note 1(k) to Chapter 68, note 2(ij) to Chapter 69, note 1(g) to Chapter 70, note 1(k) to Section XV, note 2(k) to Section XVII and note 1(k) to Chapter 96.

Tariff Subheading Added for Steel Modular Buildings

Subheading 9406.20.00 is added to provisions for prefabricated buildings in heading 9406 for “modular building units, of steel,” dutiable at 2.9%. Subheading 9406.90.00, which previously covered steel modular building units, is renumbered 9406.90.01 to reflect the change.

New note 4 is added to Chapter 94 to define modular building units. The note says “prefabricated buildings include ‘modular building units’ of steel, normally presented in the size and shape of a standard shipping container, but substantially or completely pre-fitted internally. Such modular building units are normally designed to be assembled together to form permanent buildings.”

Modernized Description of Heading 9504 for Video Game Consoles, Casino and Game Equipment

The article description of heading 9504 is amended to remove outdated terminology and technology. The term “bagatelle” is removed from the heading description, and “articles for arcade” is replaced by “amusement machines operated by coins, banknotes, bank cards, tokens or by any other means of payment.” The new heading description is as follows:

“Video game consoles and machines, table or parlor games, including pinball machines, billiards, special tables for casino games and automatic bowling equipment, amusement machines operated by coins, banknotes, bank cards, tokens or by any other means of payment.”

New Subheadings Created for Amusement Park, Fairground Rides, Traveling Theaters

Subheading 9508 is [expanded](#) to separately provide for amusement park rides and water park amusements, fairground amusements, and traveling theatres, and a new note adds definitions for goods classifiable in the heading.

The text of heading 9508 is amended so it now refers to “Traveling circuses and traveling menageries; amusement park rides and water park amusements; fairground amusements, including shooting galleries; traveling theaters; parts and accessories thereof.” That’s reordered from its previous form, and now mentions water park amusements and amusement park rides, but no longer separately mentions merry-go-rounds and boat-swings (though a newly created subheading covers carousels and swings).

Previously consisting only of a subheading for traveling circuses and menageries and “other” goods of heading 9508, the new structure of the heading now includes subheadings for:

9508.10.00 - Traveling circuses and traveling menageries

9508.21.00 - Amusement park rides and water park amusements: Roller coasters

9508.22.00 - Amusement park rides and water park amusements: Carousels, swings and roundabouts

9508.23.00 - Amusement park rides and water park amusements: Bumper (dodge’em) cars

9508.24.00 - Amusement park rides and water park amusements: Motion simulators and moving theaters

9508.25.00 - Amusement park rides and water park amusements: Water rides

9508.26.00 - Amusement park rides and water park amusements: Water park amusements

9508.29.00 - Amusement park rides and water park amusements: Other
9508.30.00 - Fairground amusements
9508.40.00 - Traveling theaters.

New note defines terms of new subheadings. New note 6 to Chapter 95 delineates what is classifiable in heading 9508. It says, for the purposes of that heading:

“(a) The expression “amusement park rides” means a device or combination of devices or equipment that carry, convey, or direct a person or persons over or through a fixed or restricted course, including watercourses, or within a defined area for the primary purpose of amusement or entertainment. Such rides may be combined within an amusement park, theme park, water park or fairground. These amusement park rides do not include equipment of a kind commonly installed in residences or playgrounds;

“(b) The expression “water park amusements” means a device or combination of devices or equipment that are characterized by a defined area involving water, with no purposes built path. Water park amusements only include equipment designed specifically for water parks; and

“(c) The expression “fairground amusements” means games of chance, strength or skill, which commonly employ an operator or attendant and may be installed in permanent buildings or independent concession stalls. Fairground amusements do not include equipment of heading 9504.

“This heading does not include equipment more specifically classified elsewhere in the tariff schedule.”

Flexible Pencils and Crayons Classifiable in Subheading With Rigid Pencils and Crayons

Subheading 9609.10.00 for “pencils and crayons, with leads encased in a rigid sheath” is amended to remove the word “rigid,” so it now covers “pencils and crayons, with leads encased in a sheath.”

Cases for Vacuum Flasks Not Mentioned in Heading 9617

A reference to “with cases” is removed from heading 9617. The heading now covers “vacuum flasks and other vacuum vessels, complete; parts thereof other than glass inners.”

Heading 9619 for Sanitary Products, Diapers Amended to Modernize Terminology

Heading 9619 is amended to reflect common terms for articles classified in the heading. Previously, the heading had covered “sanitary towels (pads) and tampons, diapers and diaper liners for babies and similar articles, of any material.” Now the heading text covers “Sanitary pads (towels) and tampons, diapers (napkins), diaper liners and similar articles, of any material.”

Notes throughout the tariff schedule are amended in the same manner. Notes 2(q) to Chapter 48, 1(u) to Section XI and 1(f) to Chapter 56 now say those provisions on paper products and textiles exclude “articles of chapter 96 (for example, buttons, sanitary pads (towels) and tampons, diapers (napkins) and diaper liners).”

New Detail Added to Chapter 97 for Cultural Articles, Including Classification by Age
INTERNATIONAL TRADE TODAY—13

New subheadings are added throughout Chapter 97 for a more granular classification scheme for works of art, collectors' pieces and antiques. Several subheadings are subdivided based on age, and new provisions are added for mosaics, and new six-digit subheadings are added for collectors' pieces of heading 9705 to require separate classification in all WCO HS member tariff schedules. The new detail in Chapter 96 will "facilitate the monitoring their global trade and countering illicit trade and trafficking in cultural articles."

Paintings, drawings, collages and mosaics. Heading 9701, which previously included only two subheadings for "paintings, drawings and pastels" and "other" collages and similar decorative plaques," is amended to explicitly refer to mosaics and subdivided based on whether the article is more than 100 years old.

The text of the new heading now refers to "mosaics." Subheadings 9701.10 and 9701.90 are removed, and replaced by a new framework. Two new subheadings for mosaics are added alongside subheadings for paintings, drawings and pastels and "other" goods of heading 9701. The new subheadings are as follows:

Of an age exceeding 100 years:

9701.21.00 - Paintings, drawings, and pastels

9701.22.00 - Mosaics

9701.29.00 - Other

Other:

9701.91.00 - Paintings, drawings, and pastels

9701.92.00 - Mosaics

9701.99.00 - Other.

New note 2 to Chapter 97 excludes certain mosaics with lower cultural value from heading 9701. It says the heading "does not apply to mosaics that are mass-produced reproductions, casts or works of conventional craftsmanship of a commercial character, even if these articles are designed or created by artists."

Original engravings, prints and lithographs. Subheading 9702.00.00 for original engravings, prints and lithographs is replaced by two new subheadings, 9702.10.00 for original engravings, prints and lithographs of an age exceeding 100 years, and 9702.90.00 for other original engravings, prints and lithographs.

Original sculpture and statuary. Likewise, subheading 9703.00.00 for "original sculpture and statuary, in any material" is replaced by new subheadings 9703.10.00 for original sculpture and statuary, in any material, of an age exceeding 100 years, and 9703.90.00 for "other" original sculpture and statuary, in any material.

Collections and collectors' pieces. The WCO added new six-digit subheadings for heading 9705 for "collections and collectors' pieces of archaeological, ethnographic, historical, zoological, botanical, mineralogical, anatomical, paleontological or numismatic interest." While the U.S. had already subdivided the heading at the 10-digit level, the new six-digit subheadings result in a reorganization of the subheading as follows:

9705.10.00 - Collections and collectors' pieces of archaeological, ethnographic or historical interest

Collections and collectors' pieces of zoological, botanical, mineralogical, anatomical or paleontological interest:

9705.21.00 - Human specimens and parts thereof

9705.22.00 - Extinct or endangered species and parts thereof

9705.29.00 - Other

Collections and collectors' pieces of numismatic interest:

9705.31.00 - Of an age exceeding 100 years

9705.39.00 - Other

Antiques. Finally, subheading 9706.10.00 for "antiques of an age exceeding 100 years" is subdivided based on age, replacing existing U.S. 10-digit subheadings divided based on type of antique. The new subheadings cover:

9706.10.00 - Antiques of an age exceeding 250 years

9706.90.00 - Other antiques."

Source: International Trade Today