

Q Search

SEARCH ?

Sort by Rank

10 per page

⚡ Actions

Save ☆ Star ✉ Send

NY N035464 📅 Sep 10, 2008

Type : Classification • HTSUS : 8517.62.0050; 8517.69.0000

CLA-2-85:OT:RR:E:NC:N1:109

Richard Abbey, Esquire
Miller & Chevalier
655 Fifteenth Street
N.W., Suite 900
Washington, D.C. 20005

RE: The tariff classification of a transmit optical sub-assemblies ("TOSA"), a receive optical sub-assemblies ("ROSA"), and a bi-directional optical sub-assemblies ("BOSA") from an unspecified country

Dear Mr. Abbey:

In your letter dated August 11, 2008, you requested a tariff classification ruling on behalf of your client ExceLight Communications, Inc.

The first item subject to this ruling is referred to in your letter as transmit optical sub-assemblies ("TOSA"). The TOSA is an optical transmitter consisting of a printed circuit board, optical connection interface, TOSA, metal and/or plastic housing, and electrical interface. The printed circuit board contains the associated control circuitry to operate the module. A network equipment element provides an electrical input to the transmitter, which it converts to an optical output for transmission over optical fiber in a communications system.

The second item subject to this ruling is referred to in your letter as receive optical sub-assemblies ("ROSA"). The ROSA is an optical receiver consisting of a printed circuit board, optical connection interface, ROSA, metal and/or plastic housing, and electrical interface. The printed circuit board contains the associated control circuitry to operate the module. An optical input from the communications system is provided to the receiver, which it converts to an electrical output that is then provided to a network equipment element.

The third item subject to this ruling is referred to in your letter as bi-directional optical sub-assemblies ("BOSA"). The BOSA is an optical transceiver consisting of a printed circuit board, optical connection interface, TOSA, ROSA, metal and/or plastic housing, and electrical interface. The printed circuit board contains the associated control circuitry to operate the module. The optical transceiver provides the

function of converting an electrical input to an optical output in the transmit portion of the module and converting an optical input to an electrical output in the receive portion of the module. Therefore, in some cases, a BOSA, which is a transmitter and a receiver (transceiver), is used instead of a single TOSA (transmitter) and a single ROSA (a receiver) to execute transmission and reception within in one device.

You suggested that the proper classification of this merchandise to fall within subheading 8517.70.000, which provides for parts of transmission apparatus. However, each of these items actually performs either a transmission, reception, or transmission and reception function. Apparatus that performs those types of functions are provided for under various subheadings within heading 8517. Those subheadings provide a more specific description of the merchandise than that of a general description, such as a parts provision, as you have proposed. As such, 8517.70.0000 is inapplicable.

The applicable subheading for the TOSA and ROSA will be 8517.69.0000, Harmonized Tariff Schedule of the United States (HTSUS), which provides for "Other apparatus for transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network): Other. The rate of duty will be free. The applicable subheading for the BOSA will be 8517.62.0050, Harmonized Tariff Schedule of the United States (HTSUS), which provides for "Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus: Other."

Duty rates are provided for your convenience and are subject to change. The text of the most recent HTSUS and the accompanying duty rates are provided on World Wide Web at <http://www.usitc.gov/tata/hts/>.

This ruling is being issued under the provisions of Part 177 of the Customs Regulations (19 C.F.R. 177).

A copy of the ruling or the control number indicated above should be provided with the entry documents filed at the time this merchandise is imported. If you have any questions regarding the ruling, contact National Import Specialist Linda M. Hackett at 646-733-3015.

Sincerely,

Robert B. Swierupski
Director
National Commodity Specialist Division

© 2014 CustomsMobile | Disclaimer | Privacy | About

Get the CustomsMobile app!

