

ANNEXURE-2

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📁 NY N233055 📅 Sep 24, 2012

Type : Classification • HTSUS : 8517.62.0050

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

Ms. Stephanie Park
LG Electronics
1000 Sylvan Avenue
Englewood Cliffs, NJ 07632

RE: The tariff classification of a Bluetooth stereo headset (HBS-730) from China

Dear Ms. Park:

In your letter dated August 31, 2012 you requested a tariff classification ruling.

The merchandise subject to this ruling is a Bluetooth stereo headset. It is identified within your submission as Model number HBS-730. The Bluetooth stereo headset enables the user to access Bluetooth enabled cellular telephones for wireless two-way voice communication and receive A2DP streaming audio playback from Bluetooth enabled music playback devices. The headset contains speakers of a new technology and an improved chipset that allows for improved functionality and sound for optimal sound across a wide range of music genres.

The Model number HBS-730 Bluetooth stereo headset features advanced multipoint, apt-X Compatibility, volume up/down and mute microphone buttons, and vibration off during incoming calls. The advanced multipoint allows the user to pair their Tone+ with two devices. Once Tone+ is paired successfully, the user can switch back and forth between a call from one cellular phone to a call from a second cellular phone. The apt-X is a technology supported by Tone+ and it produces high quality audio that can be transmitted wirelessly over Bluetooth. It is automatically enabled as long as the source device, i.e., a Smartphone or laptop, supports apt-X as well. While on a call, if the user presses the volume up/down button simultaneously for 1 second the microphone is muted. To re-enable the microphone, the user presses the volume up/down button simultaneously for another 1 second. The vibration off during incoming calls allows the user to stop the headset from vibrating during an incoming call by pressing the volume down button when there is a call coming in. This Bluetooth stereo headset also has voice activated dialing, auto-reconnect and text to speech.

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The Bluetooth stereo headset, Model number HBS-730, is a composite machine because it consists of several machines fitted together to form a whole (an earphone, a chipset, and a microphone) which perform complimentary functions described in different headings of Section XVI of the Harmonized Tariff Schedule of the United States (HTSUS). In accordance with Note 3 to Section XVI, composite machines are classified as if consisting only of the component which performs the principal function. It is the opinion of this office that the principal function of the Bluetooth stereo headset is to receive and transmit radio signals to and from the cell phones and Bluetooth enabled music playback devices to which they are paired. The said function is performed by the chipset, as a transceiver, enabling hands-free telephony and communication with Bluetooth music devices. Transceivers are classified in subheading 8517.62, which provides in part for transmission and reception apparatus... including apparatus for communication in a wired or wireless network. While earphones and microphones are classified in heading 8518, that heading does not fully describe the merchandise at issue because it does not account for transceivers. Since the transceiver enables the headset to perform functions that distinguish it from the headsets classified in heading 8518, those functions being voice activated dialing, answering, rejecting and ending calls, and auto reconnect, the Bluetooth stereo headset is classifiable within subheading 8517.62, as a transceiver.

The applicable subheading for the Bluetooth stereo headset (HBS-730) will be 8517.62.0050, 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): Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus: Other." The rate of duty will be free. The rate of duty will be free.

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,

Thomas J. Russo
Director
National Commodity Specialist Division

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