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Type : Classification • HTSUS : 8525.30.9005

CLA-2-85:RR:NC:1:108 G88628

Ms. Benita Lee
Accord Custom Service
360 N. Sepulveda Blvd.
Suite 1070
El Segundo, CA 90245

RE: The tariff classification of a WebCam Digital Camera from Taiwan.

Dear Ms. Lee:

In your letter dated March 7, 2001 you requested a tariff classification ruling.

The item in question is denoted as the D-Link WebCam USB Digital Video Camera. The item is packaged for retail with a USB cable, batteries, and a user's manual, an installation guide in the form of a floppy disk and a CD-ROM software package.

The D-Link WebCam is an independently functional digital camera that captures live images in real time. It is designed for video conferencing, the creation of multimedia presentations or the transmission of video e-mails over the Internet.

Explanatory Note X to GRI 3b provides that for the purpose of this rule, the terms "goods put up in sets for retail sale" shall be taken to mean goods which:

- A. Consist of at least two different articles which are, prima facie, classifiable in different headings.
- B. Consist of products or articles put up together to meet a specific activity; and
- C. Are put up in a manner suitable for sale directly to users without repackaging (e.g. in boxes or cases or on boards).

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It is the opinion of this office that the D-Link WebCam USB Digital Video Camera, packaged for sale with its accessories does meet the three-part test and would be considered a set. It is composed of articles which are prima facie classified in different headings, together they perform the function of taking digital images and performing the aforementioned activities and they are put up in a manner suitable for sale directly to users without repackaging (retail packaging furnished). Since the articles constitute a set and classification cannot be made in accordance with GRI 3(a), the essential character of the set must be determined in accordance with GRI 3(b). EN VIII to GRI 3(b) states that:

The factor, which determines essential character, will vary as between different kinds of goods. It may, for example, be determined by the nature of the material or component, its bulk, quantity, weight or value, or by the role of a constituent material in relation to the use of the goods. After consideration it is the opinion of this office that the D-Link WebCam USB Digital Video Camera imparts the essential character of the set. It is the dominant article, by function and value that would influence the consumer to purchase the set.

In accordance with Legal Note 6 to chapter 85, records, tapes and other media of heading 8523 or 8524 remain classified in those headings, whether or not they are entered with the apparatus for which they are intended. The applicable subheading for the D-Link WebCam set will be 8525.30.9005, Harmonized Tariff Schedule of the United States (HTS), which provides for Transmission apparatus for radio telephony, radiotelegraphy, radiobroadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras; still image video cameras or other video camera recorders: Television cameras: Other ... Color. The rate of duty will be 2.1 percent ad valorem.

The applicable subheading for the CD-ROM software package will be 8524.39.4000, Harmonized Tariff Schedule of the United States (HTS), which provides for Records, tapes and other recorded media for sound or other similarly recorded phenomena, including matrices and masters for the production of records, but excluding products of chapter 37: Discs for laser reading systems: Other; For reproducing representations of instructions, data, sound, and image, recorded in a machine readable binary form, and capable of being manipulated or providing interactivity to a user, by means of an automatic data processing machine; proprietary format recorded discs. The rate of duty will be free.

The applicable subheading for the floppy disc installation guide will be 8524.99.4000, Harmonized Tariff Schedule of the United States (HTS), which provides for records, tapes and other recorded media for sound or other similarly recorded phenomena, including matrices and masters for the production of records, but excluding products of chapter 37; Other: Other: Other. The rate of duty will be free.

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 Michael Contino at 212-637-7039.

Sincerely,

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Robert B. Swierupski
Director,
National Commodity
Specialist Division

DATE: 10/17/2022 10:00 AM
BY: [illegible]
RE: NY G88628

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[Faded text, likely a summary or introductory paragraph of the ruling]

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DESCRIPTION	TARIFF CLASSIFICATION	DUTY RATE	MARKING REQUIREMENTS
[Faded description]	[Faded classification]	[Faded rate]	[Faded requirements]
[Faded description]	[Faded classification]	[Faded rate]	[Faded requirements]
[Faded description]	[Faded classification]	[Faded rate]	[Faded requirements]
[Faded description]	[Faded classification]	[Faded rate]	[Faded requirements]
[Faded description]	[Faded classification]	[Faded rate]	[Faded requirements]
[Faded description]	[Faded classification]	[Faded rate]	[Faded requirements]
[Faded description]	[Faded classification]	[Faded rate]	[Faded requirements]

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