U.S. Department of Homeland Security
U.S. Customs and Border Protection
National Commodity Specialist Division
One World Trade Center, Suite 51.201
New York, NY 10007

U.S. Customs and Border Protection

N359330

March 20, 2026

CLA-2-85:OT:RR:NC:N4:410

CATEGORY: Classification

TARIFF NO.: 8509.90.5500

Barbara Coatney
Time Touch Take, LLC
310 Saint Joseph Street, C
Waveland, MS 39576

RE: The tariff classification of a printed circuit board assembly from China

Dear Ms. Coatney:

In your letter dated March 2, 2026, you requested a tariff classification ruling.

The merchandise under consideration is a printed circuit board assembly (PCBA). You state that the PCBA is a part, the main controller, used in the Time Touch Take Medication System (also referred to as medication system).

The Time Touch Take Medication System is designed specifically to assist individuals with permanent or chronic disabilities who cannot independently manage medication adherence. In your letter, you state that the medication system is intended to serve the blind and visually impaired, elderly individuals with chronic functional limitations, and individuals with cognitive or physical impairments affecting medication management. This medication system will dispense medication automatically and provide a reminder to the user. It will also send notifications to caregivers when prompted within an acceptable window.

The PCBA is completely populated and preprogrammed to carry out its functions. This PCBA serves as the central electronic control unit for the medication system. The display panel PCBA functions to alert the user and activate the dispenser. There will be no further assembly of the PCBA after importation. The PCBA is designed solely for use with the medication system and will not be used as a general-purpose board.

The applicable subheading for the PCBA will be 8509.90.5500, Harmonized Tariff Schedule of the United States (HTSUS), which provides for “Electromechanical domestic appliances, with self-contained electric motor, other than vacuum cleaners of heading 8508; parts thereof: Parts: Other: Other: Other”. The rate of duty will be 4.2 percent ad valorem.

In your submission you also requested consideration of a secondary classification for the PCBA under subheading 9817.00.96, HTSUS, which applies to articles and parts and accessories of articles specifically

designed or adapted for the use or benefit of the permanently or chronically physically or mentally handicapped.

The term "blind or other physically or mentally handicapped persons" includes "any person suffering from a permanent or chronic physical or mental impairment which substantially limits one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working." U.S. Note 4(a), Subchapter XVII, Chapter 98, HTSUS.

Subheading 9817.00.96, HTSUS, excludes "(i) articles for acute or transient disability; (ii) spectacles, dentures, and cosmetic articles for individuals not substantially disabled; (iii) therapeutic and diagnostic articles; or, (iv) medicine or drugs." U.S. Note 4(b), Subchapter XVII, Chapter 98, HTSUS.

In Sigvaris, Inc. v. United States, 227 F. Supp 3d 1327, 1336 (Ct. Int'l Trade 2017), aff'd, 899 F.3d 1308 (Fed. Cir. 2018), the U.S. Court of International Trade (CIT) explained that "specially" means "to an extent greater than in other cases or towards others" and "designed" means something that is "done, performed, or made with purpose and intent often despite an appearance of being accidental, spontaneous, or natural." We must first evaluate "for whose, if anyone's, use and benefit is the article specially designed," and then, whether "those persons [are] physically handicapped." Sigvaris, 899 F.3d at 1314.

The Court of Appeals for the Federal Circuit CAFC) clarified in Sigvaris, 899 F.3d at 1314-15, that to be "specially designed," the merchandise "must be intended for the use or benefit of a specific class of persons to an extent greater than for the use or benefit of others" and adopted the five factors used by U.S. Customs and Border Protection (CBP), which are:

> (1) the physical properties of the article itself (i.e., whether the article is easily distinguishable by properties of the design, form, and the corresponding use specific to this unique design, from articles useful to non-handicapped persons); (2) whether any characteristics are present that create a substantial probability of use by the chronically handicapped so that the article is easily distinguishable from articles useful to the general public and any use thereof by the general public is so improbable that it would be fugitive; (3) whether articles are imported by manufacturers or distributors recognized or proven to be involved in this class or kind of articles for the handicapped; (4) whether the articles are sold in specialty stores which serve handicapped individuals; and, (5) whether the condition of the articles at the time of importation indicates that these articles are for the handicapped.

Based on the information supplied, we find the medication systems are not easily distinguishable by a specific design or form when compared to similar medication systems or medication dispensers for use by non-handicapped persons or the general public. The use of the medication system by non-handicapped persons as well as the general public is not so improbable that it would be fugitive. It appears that the marketing/target audience is expansive. The medication systems are available for purchase by the general public as well as specialty stores. For example, this is evidenced by the answer to the question in your product website Q&A section. When answering the question "Is this medication system just for the Blind?", i t states "No, this system is for anyone who is on a series of medication that need to be monitored." In examining the totality of the facts provided in your submission, it is of our opinion that the medication systems are not "specially designed" for the use or benefit of persons with chronic and reduced mobility to an extent greater than for the general public and do not satisfy the 5 factors set out by CBP. As a result, a secondary classification will not apply in subheading 9817.00.96, HTSUS.

Since the medication system does not qualify for duty-free treatment under the Nairobi Protocol, the subject medication system component (PCBA) equally does not qualify because it is not specially designed or adapted for use in a qualifying article.

The duties cited above are current as of this ruling's issuance. 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 at https://hts.usitc.gov/.

This ruling does not address the applicability of any additional duties, taxes, fees, exactions and/or other charges, which may apply to the goods discussed herein. This includes, but is not limited to, tariffs and other duties as provided for in Subchapter III to Chapter 99, HTSUS. Thus, for example, in addition to the classification stated above, the merchandise covered by this ruling may also need to be reported with either the Chapter 99 provision under which an additional tariff applies or one of the Chapter 99 provisions covering exceptions to such tariffs.

For further information to assist with the importation process, please refer to the frequently updated Cargo Systems Messaging Service (CSMS) messages at https://www.cbp.gov/trade/automated/cargo-systems-messaging-service and the Trade Remedies page at https://www.cbp.gov/trade/programs-administration/trade-remedies.

The holding set forth above applies only to the specific factual situation and merchandise description as identified in the ruling request. This position is clearly set forth in Title 19, Code of Federal Regulations (CFR), Section 177.9(b)(1). This section states that a ruling letter is issued on the assumption that all of the information furnished in the ruling letter, whether directly, by reference, or by implication, is accurate and complete in every material respect. In the event that the facts are modified in any way, or if the goods do not conform to these facts at time of importation, you should bring this to the attention of U.S. Customs and Border Protection (CBP) and submit a request for a new ruling in accordance with 19 CFR 177.2. Additionally, we note that the material facts described in the foregoing ruling may be subject to periodic verification by CBP.

This ruling is being issued under the provisions of Part 177 of the Customs and Border Protection 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, please contact National Import Specialist Michael Chen at michael.w.chen@cbp.dhs.gov.

Sincerely,

(for)

James Forkan
Designated Official Performing the Duties of the Division Director
National Commodity Specialist Division