



HQ H298116

November 4, 2025

OT:RR:CTF:EMAIN H298116 TPB

CATEGORY: Classification

TARIFF NO.: 8479.89.98

Port Director
U.S. Customs & Border Protection
6747 Engle Road
Middleburg Heights, Ohio 44130

Attn: H. Olsonawski, Import Specialist CEE - Machinery

RE: Request for Further Review of Protest Number 4102-17-100682; Classification of a Drum-Type Cleaning Machine

Dear Port Director:

This in response to your request for further review of protest number 4102-17-100682, filed by counsel on behalf of ZPS America (ZPS or Protestant), concerning the classification, under the Harmonized Tariff Schedule of the United States (HTSUS), of a drum-type cleaning machine, Model RCTS. Protestant entered the goods under subheading 8479.81.00, HTSUS, which provides for other machines and mechanical appliances for treating metal. However, the goods were reclassified by the port and liquidated under subheading 8479.89.98, HTSUS (2016), which provides for other machines and mechanical appliances having individual functions, not specified or included elsewhere in this chapter. In reaching our decision, consideration was also given to protestant's additional grounds for protest dated October 2, 2017.

FACTS:

The merchandise is a drum-type cleaning machine. According to the additional information provided by ZPS, the RCTS equipment has two sophisticated metal treatment capabilities: passivation and chemical deburring.

RP / Passivation and Chemical deburring process

The RP/Passivation process will operate tank 2 of the machine once tank 1 has done the pre-cleaning. The tanks can be programmed and filled with appropriate fluid separately and it will stay independent from the first bath, which is for cleaning / rinsing. After that

initial process step, the parts will be rinsed again and then vacuum dried. The Chemical deburring is acting the same way. Instead of the RP/Passivation Fluid in tank 2, there will be the acidic deburring solution. After that step the parts will be rinsed again and then vacuum dried. The process can also be done in a 3 tank system which then will have separate tanks for rinsing and cleaning. The chemical deburring or passivation, which are processes the Roll Vacuum degreasers can handle are chemically, thermally or mechanically changing the surface texture and mechanical properties of the materials being treated.

ISSUE:

What is the classification of the drum-type cleaning machine?

LAW AND ANALYSIS:

Initially, we note that the matter protested is protestable under 19 U.S.C. §1514(a)(2) as a decision on classification. The protest was timely filed within 180 days of liquidation of the first entry for entries made on or after December 18, 2004. (Miscellaneous Trade and Technical Corrections Act of 2004, Pub.L. 108-429, § 2103(2)(B)(ii), (iii) (codified as amended at 19 U.S.C. § 1514(c)(3) (2006)).

Further Review of Protest No. 4102-17-100682 was properly accorded to protestant pursuant to 19 C.F.R. § 174.24(b) because the decision against which the protest was filed is alleged to involve questions of law or fact which have not been ruled upon by the Commissioner of CBP or his designee or by the Customs courts.

Classification under the HTSUS is made in accordance with the General Rules of Interpretation (GRI). GRI 1 provides that the classification of goods shall be determined according to the terms of the headings of the tariff schedule and any relative section or chapter notes. In the event that the goods cannot be classified solely on the basis of GRI 1, and if the headings and legal notes do not otherwise require, the remaining GRIs may then be applied.

The HTSUS provisions under consideration are as follows:

8479 Machines and mechanical appliances having individual functions, not specified or included elsewhere in this chapter; parts thereof:

 Other machines and mechanical appliances:

8479.81 For treating metal, including electric wire coil-winders:

8479.89 Other:

Here, there is no dispute that the subject machines are classified under heading 8479, HTSUS, so this matter is controlled by GRI 6, which provides:

For legal purposes, the classification of goods in the subheadings of a heading shall be determined according to the terms of those subheadings and any related subheading notes and, mutatis mutandis, to the above rules, on the understanding that only

subheadings at the same level are comparable. For the purposes of this rule, the relative section, chapter and subchapter notes also apply, unless the context otherwise requires.

The Harmonized Commodity Description and Coding System Explanatory Notes (ENs) constitute the official interpretation of the Harmonized System at the international level. While neither legally binding nor dispositive, the ENs provide a commentary on the scope of each heading of the HTSUS and are generally indicative of the proper interpretation of these headings. See T.D. 89-80, 54 Fed. Reg. 35127-28 (Aug. 23, 1989).

In addition to the arguments and supporting documents provided by ZPS, CBP has also reviewed a number of websites¹ that show that the RCTS, among other machines by the same manufacturer, are metal “cleaning systems.” Having reviewed this information, we note that the RCTS is indeed a composite machine incorporating several modules mounted in a common housing.² The modules include cleaning and rinsing modules, a distillation unit to remove oil and grease from the solvent and tanks that can be used for passivation or electro-chemical deburring. There is no indication that the washing is performed by spraying. Cleaning appears to be done by immersion. After thorough cleaning, the metal part is ready for either passivation or electro-chemical deburring. The passivation and the electro-chemical deburring are not performed simultaneously.

In its supporting documentation, Protestant informs us that pre-cleaning is done in the first tank/bath. Once thoroughly cleaned the parts go to the second tank/bath where passivation or electro-chemical deburring will take place. The solution used in the second tank is dependent upon the process to be done, e.g., an acidic deburring chemical is used with the electro-chemical process. The two tanks are independent modules. After processing in the second tank, the parts are rinsed and vacuum dried.

The electro-chemical deburring process is described in the submitted “Practical Applications of Thermal Deburring and Electro-Chemical Deburring” by John Halladay, Engineer, Vectron, Inc. as follows:

Electro-Chemical Deburring (ECD) is a localized deburring process using electrical energy to remove burrs in a specific location as opposed to TD [Thermal Deburring], which provides general burr removal. The part to be deburred is placed on a nonmetallic locator

¹ Websites include: (1) <https://www.karl-roll.de/en/products/combined-plant> (accessed Nov. 4, 2025) and (2) <https://www.ctemag.com/news/articles/component-cleanliness-requires-effort-throughout-manufacturing-process> (accessed Nov. 4, 2025).

² As such, they are classified according to their principal function by operation of Note 3 to Section XVI, which states:

Unless the context otherwise requires, composite machines consisting of two or more machines fitted together to form a whole and other machines designed for the purpose of performing two or more complementary or alternative functions are to be classified as if consisting only of that component or as being that machine which performs the principal function.

which locates an electrode in the exact vicinity of the burr(s). The work piece (anode) is charged positively, the electrode (cathode) is charged negatively, and an electrolyte solution is directed under pressure to the gap between the burr and the electrode. The flow of electrolyte precedes the application of the current to flush out any loose chips which may cause a short in the system damaging the part, the tooling, and/or the equipment. A controlled radius is generated as the burr is dissolved. The ECD process is extremely consistent from part-to-part and lot-to-lot.

When using passivation, the part is immersed in a passivating acid bath. Any one of three methods are used, i.e., nitric acid passivation, nitric acid with sodium dichromate passivation and citric acid passivation. The method is dependent upon the grade of the metal and the prescribed acceptance criteria. In articulating its "Reason for Protest", ZPS states that the RCTS was liquidated under subheading 8479.89.98, HTSUS, "based on the assessment that the equipment doesn't treat metal." However, this statement does not represent the reason why the RCTS is classified under subheading 8479.89.98, HTSUS.

There is no dispute that passivation or electro-chemical deburring, on their own, are metal treating processes. However, the instant good is a composite machine composed of several modules that perform (1) passivation or electro-chemical deburring, and (2) cleaning, rinsing, and drying. Indeed, while the passivation or electro-chemical deburring alternate depending upon the process needed to be performed at a particular time, the cleaning, rinsing and drying are always being performed. All the functions being performed are co-equal. Indeed, in the submitted exhibit "CBP 29 Response Passivation", it is stressed that "Cleaning should always come first" before starting the passivation process. From the information submitted, it appears that the passivation or electro-chemical deburring cannot be accomplished without the required pre-cleaning being performed.

Based on the information we have on the process and applying Note 3 to Section XVI at the six-digit subheading level, the product at issue has no principal function. When considering composite goods and two or more headings are under consideration and no one heading provides a principal function, the good is classified under the heading which occurs last in numerical order among those which merit equal consideration.

A complete cleaning cycle varies according to the solvents used, e.g., clean/rinse/dry with passivation or clean/rinse/dry with electro-chemical deburring (or passivation). Within heading 8479, passivation or electro-chemical deburring are arguably covered by subheading 8479.81 and cleaning would fall under the scope of subheading 8479.89. By application of GRI 6 and GRI 3 (c) (at the subheading level), we conclude that the Drum-Type Cleaning Machine, Model RCTS, is classified in subheading 8479.89.

HOLDING:

By application of GRIs 1 (Note 3 to Section XVI), 6 and 3(c), the Drum-Type Cleaning Machine, Model RCTS, is provided for in heading 8479, and more specifically,

subheading 8479.89.98, HTSUS, as: "Machines and mechanical appliances having individual functions, not specified or included elsewhere in this chapter, parts thereof: Other machines and mechanical appliances: Other: Other." The 2016 general, column one rate of duty was 2.5%.

This ruling does not address the applicability of any additional duties that may apply to the goods discussed herein. Likewise, 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 www.usitc.gov.

Protest No. 4102-17-100682 is **DENIED**.

You are instructed to notify the protestant of this decision no later than 60 days from the date of this decision. Any reliquidation of the entry or entries in accordance with the decision must be accomplished prior to this notification. Sixty days from the date of the decision, the Office of Trade, Regulations and Rulings will make the decision available to CBP personnel and the public on the Customs Rulings Online Search System (CROSS) at <https://rulings.cbp.gov/>, or other methods of public distribution.

Sincerely,

for Yuliya A. Gulis, Director
Commercial and Trade Facilitation Division