



HQ H331315

December 5, 2025

OT:RR:CTF:TCM H331315 TPB

CATEGORY: Classification

TARIFF NO.: 8525.89.50

Mr. Robert J. Leo
Meeks, Sheppard, Leo & Pillsbury LLP
570 Lexington Ave., 24th Floor
New York, NY 10022

Re: Tariff classification of two thermal imaging cameras imported from Sweden; Revocation of Headquarters Ruling Letter (HQ) 961289 (3/30/98), HQ 965903 (11/19/02), HQ H068279 (12/30/10), and New York Ruling Letter (NY) I87272 (10/29/02), NY N201504 (2/22/2012), NY N255714 (8/26/2014), by operation of law.

Dear Mr. Leo:

This in response to your eRuling request, dated March 20, 2023, in which you requested a prospective binding tariff classification ruling from U.S. Customs and Border Protection (CBP) on behalf of Axis Communications AB (Axis AB / Requestor). Your ruling request, which was forwarded to our office for a response, concerns the tariff classification of certain thermal cameras imported from Sweden, under the Harmonized Tariff Schedule of the United States (HTSUS).

FACTS:

Your request involves two products: the AXIS P1290–E Thermal Network Camera and the AXIS Q1951-E Thermal Camera. The AXIS P1290–E, which has built-in analytics, is an indoor/outdoor thermal camera with a fixed dome enclosure and is used for surveillance. The AXIS Q1951-E delivers a high-quality thermal video stream and is used for perimeter security. It also has built-in cybersecurity features that prevent unauthorized access. Both cameras have image sensors with a spectral range of 8 – 14 micrometers (μm), which is primarily associated with long-wave infrared (LWIR) and is used for thermal imaging and sensing. You provided online links to the technical specifications of the products at issue with your request, which we have consulted.

ISSUE:

What is the tariff classification of the thermal imaging cameras in question?

LAW AND ANALYSIS:

Classification under the Harmonized Tariff Schedule of the United States is determined in accordance with the General Rules of Interpretation (GRIs). 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 in their appropriate order.

The HTSUS provisions under consideration are, in relevant part, as follows:

8525 Transmission apparatus for radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras, digital cameras and video camera recorders:

 Television cameras, digital cameras and video camera recorders:

8525.83.00 Other, night vision goods as specified in subheading note 3 to this chapter...

8525.89 Other:

 * * *

9013 Lasers, other than laser diodes; other optical appliances and instruments, not specified or included elsewhere in this chapter:

9013.80 Other devices, appliances and instruments

Note 1 (h) to Chapter 90 states that Chapter 90 does not include, *inter alia*, digital cameras and video camera recorders (heading 8525). As such, if the subject merchandise falls under the scope of heading 8525, HTSUS, it is excluded from classification under Chapter 90, and heading 9013, HTSUS.

Subheading Note 3 to Chapter 85, HTSUS, states:

Subheading 8525.83 covers night vision television cameras, digital cameras and video camera recorders which use a photocathode to convert available light to electrons, which can be amplified and converted to yield a visible image. **This subheading excludes thermal imaging cameras (generally subheading 8525.89).** [Emphasis in bold added]

Digital cameras generally operate by converting light into data and images through the use of a sensor (ex., CCD or CMOS). A digital “night vision” camera is a particular type of digital camera which, as opposed to standard digital cameras that require a good amount of light to operate, are designed to capture images in places where there is little to no light through the use of specialized sensors. They generally operate in the infrared spectrum, which is invisible to the human eye. There are a variety of night vision cameras used today. IR (infrared) cameras utilize infrared LEDs that illuminate the camera’s view. Because IR is invisible to the human eye, they can be used where there is no light source. Starlight night vision cameras enhance minute amounts of ambient light, and unlike IR cameras, can produce color images rather than black and white ones. Finally, there is thermal imaging. Thermal imaging cameras detect heat given off by objects and animals to create images. They can also be used in areas where there is no light source and in situations where visibility is blocked, such as through smoke.

Although the last line of Subheading Note 3 includes a parenthetical statement that thermal imaging cameras are “generally” classified in subheading 8525.89, reading the sentence in concert with the text of subheading 8525.89 itself indicates that it is a “catch-all” statement rather than specific directions as to the classification of these types of goods.

In addition to the insertion of Subheading Note 3 to Chapter 85, the text of heading 9013 was amended for HS 2022, deleting the reference to “Liquid crystal devices not constituting articles provided for more specifically in other headings” and beginning the heading at “Lasers, other than laser diodes...” with the rest of the heading text remaining the same.¹ That, combined with the fact that Subheading Note 3 to Chapter 85 contains language specific to the goods presently at issue serves to further clarify the scopes of headings at issue beginning on January 27, 2022.

In this respect, we note that while heading 8525 certainly covers television cameras, digital cameras and video camera recorders that convert visible light into images, there is nothing in the text of the heading that limits the scope of the provision as such. In other words, based on the foregoing, heading 8525 covers the instant thermal video cameras on the basis of GRI 1. Because the goods at issue fall under the scope of the provision for television cameras, digital cameras and video camera recorders under heading 8525, they are excluded from Chapter 90 by application of Note 1 (h) to Chapter 90. They are specifically classified in subheading 8525.89.50, HTSUS.

Finally, in construing the scope of heading 8525, we note that prior to 2022, CBP held that cameras, whether still or video, that function only in invisible light (i.e. thermal, IR, etc.) were classified under heading 9013, HTSUS, which until January 27, 2022 provided for “Liquid crystal devices not constituting articles provided for more

¹ See Presidential Proclamation 10326 (See 86 Fed. Reg. 73593-73599 (December 28, 2021)).

specifically in other headings; lasers, other than laser diodes; other optical appliances and instruments, not specified or included elsewhere in this chapter; parts and accessories thereof.” See HQ H068279, dated December 30, 2010, which concluded that the cameras classified in heading 8525 only function as they capture visible light. This conclusion relied heavily on the history of heading 8525 and its Explanatory Note, which was discussed in that ruling.² See *also*, HQ 961289 (March 30, 1998), HQ 965903 (November 19, 2002), and NY I87272 (October 29, 2002). Given the changes to the statutory text of the HTSUS summarized above, these rulings on thermal imaging cameras issued prior to January 27, 2022 are revoked by operation of law.

HOLDING:

By application of GRIs 1 and 6, the AXIS P1290–E Thermal Network Camera and the AXIS Q1951-E Thermal Camera are classified under subheading 8525.89.50, HTSUS, which provides for “Transmission apparatus for radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras, digital cameras and video camera recorders, Other, Other, Other”. The general, column rate of duty applicable to goods is “Free”.

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 <http://www.usitc.gov/>.

A copy of this ruling letter should be attached to the entry documents filed at the time the goods are entered. If the documents have been filed without a copy, this ruling should be brought to the attention of the CBP officer handling the transaction.

Sincerely,

Gregory Connor, Chief
Electronics, Machinery, Automotive,
and International Nomenclature Branch

² In understanding the language of the HTSUS, the Harmonized Commodity Description and Coding System Explanatory Notes (ENs) may be utilized. The ENs, though not dispositive or legally binding, provide commentary on the scope of each heading of the HTSUS, and are the official interpretation of the Harmonized System at the international level.