



HQ H354469

January 16, 2026

OT:RR:CTF:EMAIN H354469 RLP

CATEGORY: Classification

TARIFF NO.: 8536.50.9065

Tony Mikami
NGT Controls, Inc.
21092 Bake Parkway, 104
Lake Forest, CA 92630

RE: Request for reconsideration of NY N352330; Classification of a bimetal switch from Japan

Dear Mr. Mikami:

This letter is in reference to a request for reconsideration submitted by you on behalf of NGT Controls, Inc. (“NGT Controls”) concerning New York Ruling Letter (NY) N352330 issued August 21, 2025. That ruling concerned the classification of a bimetal switch from Japan under the Harmonized Tariff Schedule of the United States Annotated (HTSUSA). The ruling classified the merchandise under statistical reporting number 8536.50.9065, which provides for “Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders and other connectors, junction boxes), for a voltage not exceeding 1,000 V; connectors for optical fibers, optical fiber bundles or cables: Other switches: Other: Other: Other.” NY N352330 describes the merchandise as follows:

The subject devices are further described as bimetal thermal switches, which are comprised of two metals bonded together in the form of a strip or disc. When the metals are heated, the difference in expansion rates cause the metal to bend or snap when a certain temperature is reached. This action either opens or closes an electrical circuit. The subject switch devices are used in various electrical applications, such as household appliances, HVAC systems, and industrial appliances in order to act as a protection against excessive heat.

NGT Controls claims that CBP should classify this device under statistical reporting number 8536.50.9040, HTSUSA, as a “snap-action, other than limit” switch because the bimetal disc or strip snaps to open or close the circuit at a certain temperature. Under this interpretation, the device snapping to change position on the circuit is the key characteristic of a snap-action switch.

When a tariff term is not defined by the HTSUS, its correct meaning is its common, or commercial, meaning. *See Rocknel Fastener, Inc. v. United States*, 267 F.3d 1354, 1356 (Fed. Cir. 2001) ("To ascertain the common meaning of a term, a court may consult dictionaries, scientific authorities, and other reliable information sources' and 'lexicographic and other materials.'" (quoting *C.J. Tower & Sons of Buffalo, Inc. v. United States*, 673 F.2d 1268, 1271, 69 C.C.P.A. 128 (C.C.P.A. 1982))); *see also Simod Am. Corp. v. United States*, 872 F.2d 1572, 1576 (Fed. Cir. 1989)).

Despite any “snapping” that might occur due to the movement of the bimetal piece of the instant switch in the colloquial sense, the device at issue lacks the standard spring-loaded design that is the central component of snap-action switches. Generally, a snap-action switch operates by rapidly opening or closing an electrical circuit through a small amount of force to its actuator. *Guide to Snap Switches: Workings, types & Applications*, LANGIR.COM, <https://www.langir.com/news/guide-to-snap-switches/#1710167913303-68d4c763-3d9e> (last accessed December 15, 2025). The force on the actuator compresses a spring until it reaches a critical point, causing the spring mechanism to shift the switch rapidly to a new position on the circuit. *Id.* The switch’s name comes from the audible “snap” that occurs from this movement or action. *Id.*

Bimetal switches like the device at issue, though, do not operate by applying force to a spring-loaded design. In a bimetal switch, the transfer of heat to or from the bimetal piece opens or closes the circuit, not the application of force to the actuator. *Compare* Force, Oxford Eng. Dictionary, https://www.oed.com/dictionary/force_n1?tab=meaning_and_use#4007301 (last accessed December 12, 2025) *with* Heat, Oxford Eng. Dictionary, https://www.oed.com/dictionary/heat_n?tab=meaning_and_use#1905504 (last accessed December 12, 2025). Additionally, the bimetal disc or strip in the device is not a spring. A spring is a rigid material bent or molded into a form that can return into shape after being compressed or extended and is designed to store and release energy. *See* Spring, Oxford Eng. Dictionary, https://www.oed.com/dictionary/spring_n1?tab=meaning_and_use#21301076 (last accessed November 28, 2025); Springs, Britannica, <https://www.britannica.com/technology/spring-machine-component> (last accessed November 28, 2025). While the bimetal piece in the device does bend or flip, it is not designed to return to its original form after being compressed or extended nor to store and release energy.

Consequently, the bimetal switch does not operate as a standard snap-action switch and is an exception to the common definition when the industry refers to it as such. Previous CBP decisions involving gas fired appliances and thermostats similarly classified bimetal switches as “other” switches under subheading 8536.50.9065, HTSUSA, rather than as “snap-action, other than limit” switches under subheading 8536.50.9040, HTSUSA. NY N04898, dated February 2, 2009; NY M87344, dated October 17, 2006.

Based upon the above, we are denying this reconsideration request and affirming NY N352330.

Sincerely,

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