

Title : The tariff classification of an RFID tag from Spain.

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June 30, 2009

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

CATEGORY: Classification

TARIFF NO.: 8523.52.00

Mr. Gordon C. Anderson C.H. Robinson Worldwide, Inc.

Minneapolis International 14800 Charlson Road, Ste. 400 Eden Prairie, MN 55347-5048

RE: The tariff classification of an RFID tag from Spain.

Dear Mr. Anderson:

In your letter dated June 22, 2009, on behalf of Digital Angel Corporation, you requested a tariff classification ruling. Sample is being returned as requested.

The subject merchandise, based on the information submitted, is a radio-frequency identification (RFID) tag, which is referred to as the "Glass Encapsulated Transponder." It consists of a passive microchip (an integrated circuit) and an embedded antenna, with epoxy fill, all of which are encapsulated within a bio-compatible glass shell measuring about 1 mm in width by 11 mm in length. This RFID tag, which does not contain a battery or other active power source, is typically injected subcutaneously into an animal for identification purposes.

The applicable subheading for this RFID tag will be 8523.52.00, Harmonized Tariff Schedule of the United States (HTSUS), which provides for Disc, tapes, solid-state non-volatile storage devices, "smart cards" and other media for the recording of sound or of other phenomena, whether or not recorded, including matrices and masters for the production of discs, but excluding products of Chapter 37: Semiconductor media: "Smart cards." The rate of duty will be Free.

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 on World Wide Web at <http://www.usitc.gov/tata/hts/>.

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 Lisa Cariello at (646) 733-3014.

Sincerely, Robert B. Swierupski Director National Commodity Specialist Division