

Harmonized Tariff Schedule of the United States (2010)

Annotated for Statistical Reporting Purposes

XXII
98-XVII-3

U.S. Notes (con.)

4. (a) For purposes of subheadings 9817.00.92, 9817.00.94 and 9817.00.96, 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.
- (b) Subheadings 9817.00.92, 9817.00.94 and 9817.00.96 do not cover --
- (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.
5. For purposes of subheading 9817.57.01, the term "mass-produced kits" includes only those which are designed to be sold in the customs territory of the United States exclusively in kit form.
6. For purposes of heading 9817.22.05, the duty-free treatment shall apply to liqueurs and spirituous beverages produced in the territory of Canada from rum if--
- (i) such rum is the growth, product, or manufacture of a designated Caribbean Basin Economic Recovery Act (CBERA) beneficiary country enumerated in general note 7(a) to the tariff schedule or of the Virgin Islands of the United States;
 - (ii) such rum is imported directly from a designated CBERA beneficiary country enumerated in general note 7(a) to the tariff schedule or from the Virgin Islands of the United States into the territory of Canada, and such liqueurs and spirituous beverages are imported directly from the territory of Canada into the customs territory of the United States;
 - (iii) when imported into the customs territory of the United States, such liqueurs and spirituous beverages are classified in subheading 2208.40 or 2208.90 of the tariff schedule; and
 - (iv) such rum accounts for at least 90 percent by volume of the alcoholic content of such liqueurs and spirituous beverages.
7. The following provisions apply to heading 9817.85.01:
- (a) For purposes of this subchapter, including heading 9817.85.01, the term "prototypes" means originals or models of articles that--
- (i) are either in the preproduction, production, or postproduction stage and are to be used exclusively for development, testing, product evaluation, or quality control purposes; and
 - (ii) in the case of originals or models of articles that are either in the production or postproduction stage, are associated with a design change from current production (including a refinement, advancement, improvement, development, or quality control in either the product itself or the means for producing the product).
- For purposes of clause (i), automobile racing for purse, prize, or commercial competition shall not be considered to be "development, testing, product evaluation, or quality control."
- (b) (i) Prototypes may be imported only in limited noncommercial quantities in accordance with industry practice.
- (ii) Except as provided for by the Secretary of the Treasury, prototypes or parts of prototypes may not be sold after importation into the United States or be incorporated into other products that are sold.
- (c) Articles subject to quantitative restrictions, antidumping orders, or countervailing duty orders may not be classified as prototypes under this note. Articles subject to licensing requirements, or which must comply with laws, rules, or regulations administered by agencies other than the United States Customs Service before being imported, may be classified as prototypes if they comply with all applicable provisions of law and otherwise meet the definition of "prototypes" under paragraph (a).
8. Any article exempt from duty under heading 9817.60.00 shall be free of taxes and fees that may otherwise be applicable, but shall not be free or otherwise exempt or excluded from routine or other inspections as may be required by the Customs Service.