

*What Every Member of the
Trade Community Should Know About:*

Buttons, Snap Fasteners, Slide Fasteners and Similar Articles



AN INFORMED COMPLIANCE PUBLICATION

MAY 2005

U.S. CUSTOMS and BORDER PROTECTION

NOTICE:

This publication is intended to provide guidance and information to the trade community. It reflects the position on or interpretation of the applicable laws or regulations by U.S. Customs and Border Protection (CBP) as of the date of publication, which is shown on the front cover. It does not in any way replace or supersede those laws or regulations. Only the latest official version of the laws or regulations is authoritative.

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PREFACE

On December 8, 1993, Title VI of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057), also known as the Customs Modernization or “Mod” Act, became effective. These provisions amended many sections of the Tariff Act of 1930 and related laws.

Two new concepts that emerge from the Mod Act are “***informed compliance***” and “***shared responsibility***,” which are premised on the idea that in order to maximize voluntary compliance with laws and regulations of U.S. Customs and Border Protection, the trade community needs to be clearly and completely informed of its legal obligations. Accordingly, the Mod Act imposes a greater obligation on CBP to provide the public with improved information concerning the trade community’s rights and responsibilities under customs regulations and related laws. In addition, both the trade and U.S. Customs and Border Protection share responsibility for carrying out these requirements. For example, under Section 484 of the Tariff Act, as amended (19 U.S.C. 1484), the importer of record is responsible for using reasonable care to enter, classify and determine the value of imported merchandise and to provide any other information necessary to enable U.S. Customs and Border Protection to properly assess duties, collect accurate statistics, and determine whether other applicable legal requirements, if any, have been met. CBP is then responsible for fixing the final classification and value of the merchandise. An importer of record’s failure to exercise reasonable care could delay release of the merchandise and, in some cases, could result in the imposition of penalties.

The Office of Regulations and Rulings (ORR) has been given a major role in meeting the informed compliance responsibilities of U.S. Customs and Border Protection. In order to provide information to the public, CBP has issued a series of informed compliance publications, and videos, on new or revised requirements, regulations or procedures, and a variety of classification and valuation issues.

This publication, prepared by the National Commodity Specialist Division, ORR, is a study of the classification of buttons, snap fasteners, slide fasteners, studs and similar articles used for fastening or decorating articles of apparel, household linen, etc. “Buttons, Snap Fasteners, Slide Fasteners and Similar Articles” provides guidance regarding the classification of imported merchandise. We sincerely hope that this material, together with seminars and increased access to rulings of U.S. Customs and Border Protection, will help the trade community to improve voluntary compliance with customs laws and to understand the relevant administrative processes.

The material in this publication is provided for general information purposes only. Because many complicated factors can be involved in customs issues, an importer may wish to obtain a ruling under Regulations of U.S. Customs and Border Protection, 19 C.F.R. Part 177, or to obtain advice from an expert who specializes in customs matters, for example, a licensed customs broker, attorney or consultant.

Comments and suggestions are welcomed and should be addressed to the Assistant Commissioner at the Office of Regulations and Rulings, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW, (Mint Annex), Washington, D.C. 20229.

Michael T. Schmitz,
Assistant Commissioner
Office of Regulations and Rulings

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INTRODUCTION

Heading 9606

Heading 9606 of the Harmonized Tariff Schedule of the United States (HTSUS) covers buttons, snap-fasteners, studs and similar articles used for fastening or decorating articles of apparel, household linen, etc. These articles may be made of various materials (plastics, base metal, wood, etc.) and may contain pearls (natural or cultured), precious or semi-precious stones, as well as precious metal or metal clad with precious metal, provided these Chapter 71 materials are minor components of the item. Base metals are defined in Section XV, Note 3. Precious metals are identified within Note 4 to Chapter 71 and metal clad with precious metal is defined within Note 7 to Chapter 71. Importations of items containing pearls, bone, horn, leather or similar materials may be subject to regulations of other agencies. Be sure to check with these other agencies, such as the U.S. Fish and Wildlife Service, for their import requirements.

| | | |
|------------|----|--|
| 9606 | | Buttons, press-fasteners, snap-fasteners and press-studs, button molds and other parts of these articles; button blanks: |
| 9606.10 | | Press-fasteners, snap-fasteners and press-studs and parts thereof: |
| 9606.10.40 | 00 | Valued not over 20¢ per dozen pieces or parts |
| 9606.10.80 | 00 | Valued over 20¢ per dozen pieces or parts |
| | | Buttons: |
| 9606.21 | | Of plastics, not covered with textile material: |
| 9606.21.20 | 00 | Of casein |
| 9606.21.40 | 00 | Of acrylic resin, of polyester resin or of both such resins |
| 9606.21.60 | 00 | Other |
| 9606.22.00 | 00 | Of base metal, not covered with textile material |
| 9606.29 | | Other: |
| 9606.29.20 | 00 | Of acrylic resin, of polyester resin or of both such resins, covered with textile material |
| | | Other: |
| 9606.29.40 | 00 | Of pearl or shell |
| 9606.29.60 | 00 | Other |
| 9606.30 | | Button molds and other parts of buttons; button blanks: |
| 9606.30.40 | 00 | Button blanks of casein |
| 9606.30.80 | 00 | Other |

Press-fasteners, snap fasteners and press-studs, found in subheading 9606.10, HTSUS, would include two or more parts and would function by clicking or snapping the pieces together. They can be attached to the garment, item or fabric by sewing or riveting. They would remain classified within subheading 9606.10, HTSUS, even if the

separate parts are attached to strips of narrow tape or fabric. Both parts, however, must be imported within the same shipment.

Subheadings 9606.21, 9606.22 and 9606.29 cover buttons of all sizes, shapes and types. Buttons are often flat, with holes through them to enable one to attach them to a garment or intended item. There are also buttons referred to as shank buttons. These buttons have a raised part on the back of the button used for attaching it to its intended item. Shank buttons may also have a spring-type hinge that will enable the button to be secured to the garment by a means other than sewing. A “bachelor button” is another form of a button that can be secured to a garment without sewing. These subheadings do not include cuff-links.

Heading 9606 also covers button molds. A button mold is a button “blank.” They are unfinished buttons that are clearly recognizable as such. Finishing touches that may need to be added would be trimming, piercing or polishing. A disc that has been sawn, cut or polished, but not further worked, such as shaped with rimmed edges, would not be clearly identifiable as intended for making buttons and would be classified according to the constituent material.

Buttons within subheading 9606.21 and 9606.29 have an unusual unit of quantity reporting and duty rate calculation. The unit of quantity is gross and gross lines. The duty rate is based upon ¢/line/gross + an *ad valorem* duty rate. One gross is equivalent to 144 buttons. A 460,800 piece count of buttons would be equivalent to 3,200 gross. A line (or ligne) is the basis of button measurement. Additional U.S. Note 1 to Chapter 96 states a “line” in the rates of duty columns is equivalent to 0.635 mm. In other words, the line measures the size.

| <u>Line</u> | <u>mm</u> | <u>inches</u> |
|-------------|-----------|---------------|
| 1 | 0.635 | 0.025” |
| 12 | 7.620 | 0.300” |
| 20 | 12.700 | 0.500” |
| 30 | 19.050 | 0.750” |
| 40 | 25.400 | 1.000” |

If you have a 10.160 mm diameter button, the line is 16 (10.160/0.635).

Example:

There’s an importation of 3200 gross buttons, size 17 lines. The proper classification is 9606.29.20. The duty rate is 0.3¢/line/gross + 4.5%.

Reporting unit of quantity is: 3200 gross; 54400 gross line (3200 gross x 17 lines)

Duty rate is calculated .003 x 17 x 3200 = \$163.20 + 4.5% of the value.

Functional, as well as decorative buttons, can be classified here, but not buttons intended as articles of personal adornment. Also excluded from heading 9606 are buttons where the precious metal is more than a minor component.

Heading 9607

| | | |
|------------|----|---|
| 9607 | | Slide fasteners and parts thereof: |
| | | Slide fasteners: |
| 9607.11.00 | 00 | Fitted with chain scoops of base metal |
| 9607.19.00 | | Other |
| | 20 | Fitted with chain scoops of plastic |
| | 40 | Fitted with continuous plastic filament |
| | 60 | Other |
| 9607.20.00 | | Parts |
| | 40 | Sliders, with or without pulls |
| | 80 | Other |

DEFINITIONS

Slide Fastener

Fastening/binding device such as a zipper found on textile items or sliders found on plastic sandwich bags. Interlocks two pieces together to form a single piece.

Chain Scoop

A scoop is another term for teeth. A chain scoop creates an interlocking fastening function along the chain of scoops.

Plastic filament

A plastic slide fastener, such as those found on plastic zipper seal bags. The two strips of plastic have specially shaped edge designs enabling them to interlock through a slider action.

Slider/Runner

The element that slides along the zipper (or plastic filament) creating the interlocking/sealing action.

Slider Pull

The tab or element that connects to the slider, enabling an easier grasp and movement of the slider along the chain or filament.

The above referenced definitions should assist to clarify the subheadings of heading 9607. Hook and loop fastener tape that consists of the hook (male) and the loop (female) portions of the fastener tape, both narrow fabrics of woven pile construction, are not classified within heading 9607. Although there is a certain fastening capability, this is not considered a type of slide fastener. Parts of slide fasteners would include chain scoops (teeth), sliders, end pieces (top stop or bottom stop), pull tabs and narrow strips of tape, any length, if the chains scoops have been mounted to them.

ADDITIONAL INFORMATION

The Internet

The home page of U.S. Customs and Border Protection on the Internet's World Wide Web, provides the trade community with current, relevant information regarding CBP operations and items of special interest. The site posts information -- which includes proposed regulations, news releases, publications and notices, etc. -- that can be searched, read on-line, printed or downloaded to your personal computer. The web site was established as a trade-friendly mechanism to assist the importing and exporting community. The web site also links to the home pages of many other agencies whose importing or exporting regulations that U.S. Customs and Border Protection helps to enforce. The web site also contains a wealth of information of interest to a broader public than the trade community. For instance, on June 20, 2001, CBP launched the "Know Before You Go" publication and traveler awareness campaign designed to help educate international travelers.

The web address of U.S. Customs and Border Protection is <http://www.cbp.gov>

Customs Regulations

The current edition of *Customs Regulations of the United States* is a loose-leaf, subscription publication available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402; telephone (202) 512-1800. A bound, 2003 edition of Title 19, *Code of Federal Regulations*, which incorporates all changes to the Regulations as of April 1, 2003, is also available for sale from the same address. All proposed and final regulations are published in the *Federal Register*, which is published daily by the Office of the Federal Register, National Archives and Records Administration, and distributed by the Superintendent of Documents. Information about on-line access to the *Federal Register* may be obtained by calling (202) 512-1530 between 7 a.m. and 5 p.m. Eastern time. These notices are also published in the weekly *Customs Bulletin* described below.

Customs Bulletin

The *Customs Bulletin and Decisions* ("Customs Bulletin") is a weekly publication that contains decisions, rulings, regulatory proposals, notices and other information of interest to the trade community. It also contains decisions issued by the U.S. Court of International Trade, as well as customs-related decisions of the U.S. Court of Appeals for the Federal Circuit. Each year, the Government Printing Office publishes bound volumes of the *Customs Bulletin*. Subscriptions may be purchased from the Superintendent of Documents at the address and phone number listed above.

Importing Into the United States

This publication provides an overview of the importing process and contains general information about import requirements. The February 2002 edition of *Importing Into the United States* contains much new and revised material brought about pursuant to the Customs Modernization Act ("Mod Act"). The Mod Act has fundamentally altered the relationship between importers and U.S. Customs and Border Protection by shifting to the importer the legal responsibility for declaring the value, classification, and rate of duty applicable to entered merchandise.

The February 2002 edition contains a section entitled "Informed Compliance." A key component of informed compliance is the shared responsibility between U.S. Customs and Border Protection and the import community, wherein CBP communicates its requirements to the importer, and the importer, in turn, uses reasonable care to assure that CBP is provided accurate and timely data pertaining to his or her importation.

Single copies may be obtained from local offices of U.S. Customs and Border Protection, or from the Office of Public Affairs, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Washington, DC 20229. An on-line version is available at the CBP web site. *Importing Into the United States* is also available for sale, in single copies or bulk orders, from the Superintendent of Documents by calling (202) 512-1800, or by mail from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7054.

Informed Compliance Publications

U.S. Customs and Border Protection has prepared a number of Informed Compliance publications in the "*What Every Member of the Trade Community Should Know About:...*" series. Check the Internet web site <http://www.cbp.gov> for current publications.

Value Publications

Customs Valuation under the Trade Agreements Act of 1979 is a 96-page book containing a detailed narrative description of the customs valuation system, the customs valuation title of the Trade Agreements Act (§402 of the Tariff Act of 1930, as amended by the Trade Agreements Act of 1979 (19 U.S.C. §1401a)), the Statement of Administrative Action which was sent to the U.S. Congress in conjunction with the TAA, regulations (19 C.F.R. §§152.000-152.108) implementing the valuation system (a few sections of the regulations have been amended subsequent to the publication of the book) and questions and answers concerning the valuation system. A copy may be obtained from U.S. Customs and Border Protection, Office of Regulations and Rulings, Value Branch, 1300 Pennsylvania Avenue, NW, (Mint Annex), Washington, D.C. 20229.

Customs Valuation Encyclopedia (with updates) is comprised of relevant statutory provisions, CBP Regulations implementing the statute, portions of the Customs Valuation Code, judicial precedent, and administrative rulings involving application of valuation law. A copy may be purchased for a nominal charge from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7054. This publication is also available on the Internet web site of U.S. Customs and Border Protection.

The information provided in this publication is for general information purposes only. Recognizing that many complicated factors may be involved in customs issues, an importer may wish to obtain a ruling under CBP Regulations, 19 C.F.R. Part 177, or obtain advice from an expert (such as a licensed Customs Broker, attorney or consultant) who specializes in customs matters. Reliance solely on the general information in this pamphlet may not be considered reasonable care.

Additional information may also be obtained from U.S. Customs and Border Protection ports of entry. Please consult your telephone directory for an office near you. The listing will be found under U.S. Government, Department of Homeland Security.

“Your Comments are Important”

The Small Business and Regulatory Enforcement Ombudsman and 10 regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement activities and rate each agency’s responsiveness to small business. If you wish to comment on the enforcement actions of U.S. Customs and Border Protection, call 1-888-REG-FAIR (1-888-734-3247).

REPORT SMUGGLING 1-800-BE-ALERT OR 1-800-NO-DROGA



Visit our Internet web site: <http://www.cbp.gov>