

01

미 국

품목분류 사전심사제도



1. 미국 품목분류 사전심사 주요내용



- 품목분류 사전심사(Binding Classification Rulings under the Harmonized Tariff Schedule)를 운영하고 있으며 담당기관은 미국 CBP(Customs and Border Protection)¹⁾ 및 NCSD(National Commodity Specialist Division)임
 - 관련 규정은 CBP 규정(19 C.F.R.)의 제177장 - 'Administrative Rulings'로 사전심사 신청방법, 결정서 발행 요건, 발행된 결정서의 효력 등에 대해 규정하고 있음
- 신청인의 범위는 수입자, 수출자, 직접적인 이해관계자 또는 이들의 권한 있는 대리인으로 개인(individual), 기업(corporation), 조합(partnership), 협회(association)나 그 밖의 기관 및 조직(other entity or group)을 포함하고 있음
- 신청 방법은 전자 신청(eRuling, Electronic Ruling) 또는 서면 신청(Ruling letters)이 있으며 각 신청 방법은 다음과 같음
 - 전자신청을 하고자 하는 자는 미국 CBP 홈페이지²⁾에 접속하여 온라인 신청서 (eRulings Template)³⁾를 작성 후 증빙서류와 함께 제출하여야 함
 - 신청 건당 동일한 부 또는 종류의 상품(same class or kind of merchandise)으로 이루어진 최대 5개 항목까지 신청할 수 있음
 - 신청인은 신청서 제출 전 해당 내용을 조회, 수정 및 출력할 수 있음
 - 정상적으로 접수된 경우, 신청인은 1 영업일 내 접수번호가 기재된 접수확인 통지를 이메일로 받아 볼 수 있음
 - 전자심사 신청에 대한 모든 질의(추가 질의사항 포함)는 CBP 사무소의 유선번호⁴⁾로 상담 가능함

1) www.cbp.gov

2) <https://apps.cbp.gov/erulings/index.asp>

3) NCSD(뉴욕 소재)에 품목분류 사전심사 신청을 전자적으로 제출하기 위한 서식

4) Customs and Border Protection, Customs Information Exchange : (646) 733-3062, 3065, 3066, 또는 3071



- 특정 이유로 전자 신청을 할 수 없는 경우, 신청자 인적사항, 반입항구명 등 거래 관련 모든 사실과 증빙서류를 서면으로 기재 및 첨부한 신청서(Ruling letters)를 NCSD(뉴욕 소재)⁵⁾ 또는 미국 내 모든 CBP 사무소로 신청할 수 있음

- 서면 신청의 경우 따로 정해진 신청서는 없으나 다음 내용이 포함되어야 함

[표 1] 미국 품목분류 사전심사 신청서 기재사항

구 분	내 용
필수 기재사항	<ul style="list-style-type: none"> • 신청인의 성명 및 주소, 이메일 주소, 휴대폰 번호 • 직접적인 이해관계자 또는 생산자(아는 경우)의 성명 및 주소, 이메일 주소, 휴대폰 번호 • 해당 상품의 입국항명(아는 경우) • 거래 관련 설명[예시 - (국가)로부터 수입되는 (상품)] • CBP 또는 법원에서 계류 중인 상품이 아니라는 문구 • 과거 CBP의 결정(advice) 발행 여부 및 (해당되는 경우) 그 발행기관 및 발행된 결정에 대한 내용에 대한 문구

- 심사 결과는 일반적으로 접수일로부터 30일 내 받아볼 수 있음

- 다만, 물품에 대한 전문적인 의뢰가 요구되는 경우 기간은 다소 연장될 수 있으며, 본청 R&R의 해석이 필요한 물품의 경우, 결과는 90일 내 받아 볼 수 있음
- 사전심사 결정서는 사실관계, 쟁점사항, 법률검토·분석, 결정사항 등을 포함하고 미 관세청 홈페이지 CROSS⁶⁾를 통해 공표됨

5) Director, National Commodity Specialist Division, U.S. Customs and Border Protection, Attn: CIE Ruling Request, Regulations and Rulings, Office of Trade, 201 Varick Street, Suite 501, New York, New York 10014

6) Customs Rulings Online Search System (<http://rulings.cbp.gov/>)



[그림 1] 미국 품목분류 사전심사 결정 정보 공개

CUSTOMS RULINGS ONLINE SEARCH SYSTEM (CROSS) Home Help

Search

Collection: ALL

Ruling Date: From To

Sort By: Relevance

Items per page: 30

☐ NAFTA Related Only

collectively. For more information about features or how to use CROSS, please visit the [HELP](#) section.

What's New

CROSS was last updated **Nov 7, 2019, 9:51 AM** with **40** rulings, bringing the total number of searchable rulings to **204788**. The most recent ruling is dated **Nov 5, 2019**.

All Latest Rulings
Includes NY and HQ rulings modified in the last 30 days.
[XML](#) [CSV](#)

Latest NY Rulings
Includes NY rulings 30 days or newer.
[XML](#) [CSV](#)

Latest HQ Rulings
Includes HQ rulings 30 days or newer.
[XML](#) [CSV](#)

Related Trade Information

[Trade related links](#) - Includes links to the Harmonized Tariff schedule, Customs Bulletins, Informed Compliance, Code of Federal Regulations, and more

[Customs Valuation Encyclopedia \(1980-2015\)](#) - Download the Customs Valuation Encyclopedia (1980-2015) from the CBP web site.

Informational Note

Please be aware that not all rulings issued by HQ and NY since 1989 are yet included in the database. They are still being collected and we hope to have 100% inclusion as soon as practicable.


Please submit any concerns related to CROSS to [CBP website questions](#).

* 출처: <https://rulings.cbp.gov/home>

□ 사전심사 결정의 적용은 다음 어느 하나에 해당하는 경우 배제될 수 있음

- 신청서 요청 정보를 준수하지 않은 경우
- 수입항구나 법원에 계류 중인 경우
- 부정확한 정보를 세관에 고의로 제공한 경우
- 거래가 종료된 경우 등

[그림 2] 미국 사전심사 온라인 신청서



U.S. Customs and Border Protection
Securing America's Borders

[Electronic Ruling \(eRuling\) Template](#)

1
Requester Information

2
Type

3
Questions

4
Description

5
Attachments

6
Submit

Ruling Requester Information

* First Name

* Last Name

* Company Name

* Address 1

* City

* Phone

Middle Name(or initial)

Title

Address 2

* State

* Email Address

* Zip/Postal Code

Country

* Retype Email Address

Request Type

*Select Request Type (check all that apply)

Please select at least one request type

☐ Classification
☐ Marking
☐ Country of Origin
☐ Application of Trade Program or Trade Agreement

OR

☐ Drawback Classification

Questions

Question 1

Is this request being filed on behalf of a client?

If yes, please state the name and address of the client.

Client Company

Address 1

City

Address 2

State

Zip/Postal Code

Country



Question 2

Is your company a Trade Compliance Partner certified for both CTPAT & ISA?

If yes, please provide the Importer or Record Number.

Importer or Record Number

Question 3

To your knowledge are there any issues or requests for advice, concerning this commodity, pending before any CBP office or any Court?

Explain the issue or advice request pending; state before which CBP office or Court it is pending, and what advice was rendered, if any. For example, have you received CBP forms 28 or 29 on the issue or item presented before this office?

Explanation

Question 4

Is this a resubmission of a previous ruling request which required additional information?

If yes, please provide the previous ruling number.

Previous Ruling #

Question 5

Is a sample being submitted?

If yes, would you like the sample to be returned?

Question 6

If available, what is the country of origin of the imported product?

Country

Select an Option

Description

Text of Ruling Request (Include a description of the transaction; for example, a prospective importation of merchandise X from country A). For classification requests, include sufficient information to determine the classification, such as a full and complete description of the article, principal use, commercial or technical designation, relative quantity by weight of each component, illustrative literature, photographs, chemical analysis, flow charts, CAS number, and any other information that may assist in determining the classification. **Limit to 5 items or less of the same class or kind.**

Industries

WHEN SUBMITTING YOUR RULING REQUEST, PLEASE BE SURE TO INCLUDE THE SUGGESTED INFORMATION FOR YOUR RESPECTIVE COMMODITY PER INDUSTRY.

* Overview of Issue / General Description

0/4000

[Add First Item Description](#)

Attachments

NOTE: You can attach multiple files. The files sizes cannot add up to more than 25 MB.

Use the Attach button below to select and attach document files on your computer that support your ruling request. Acceptable file formats are: Microsoft Word (.doc, .docx), Microsoft Excel (.xls, .xlsx), Microsoft Power Point (.ppt, .pptx), Acrobat portable document format (.pdf), text file (.txt), JPEG image format (.jpg, .jpeg), GIF image format (.gif), Windows bitmap (.bmp), Portable Network Graphics (.png) and MP4 (.mp4).

To add attachment

1. Click on the Attach button below.
2. Browse to find the file(s) you want to attach.

Select the file(s), and then select Open to attach the files to your request.

If you have already added an attachment and decided to remove it, select the red discard button (X) next to the attachment name.

Or drop files

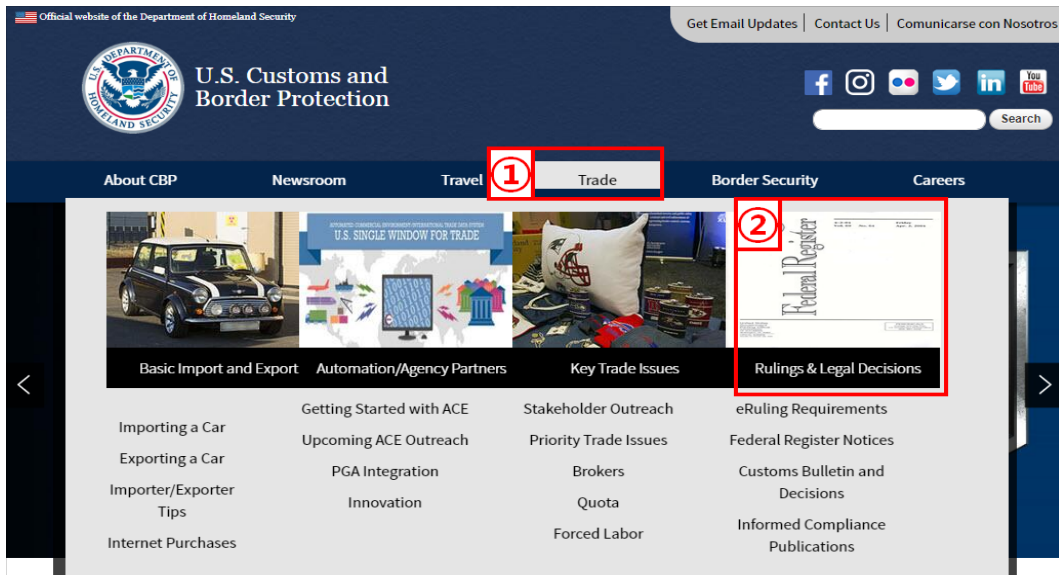
2. 미국 품목분류 사전심사 결정사례 조회방법



STEP 1

미국 관세청 접속

- 주소 : (https://www.cbp.gov)
- 화면 상단 ① 'Trade' 메뉴에서 ② 'Rulings & Legal Documents' 클릭



STEP 2

메뉴 이동

- 화면 오른쪽 QUICK LINKS에서 'Customs Rulings Online Search System (CROSS)' 클릭

Rulings and Legal Decisions

U.S. Customs and Border Protection (CBP) issues binding advance rulings and other legal decisions in connection with the importation of merchandise into the United States. Advance rulings provide the international trade community with a transparent and efficient means of understanding how CBP will treat a prospective import or carrier transaction.

For example, a ruling letter may address the tariff classification or appraised value of merchandise, the liquidation of an entry, or the exclusion of merchandise from entry. As such, ruling letters facilitate trade by enabling companies to make business decisions that are dependent on how their goods will be treated on importation.

CBP also issues other binding decisions such as internal advice decisions letters (covering current import and carrier transactions), and protest review decisions (appeals of CBP decisions on completed transactions).

With a view to promoting transparency, CBP also makes available to the public various other guidance including the following: the [Customs Rulings On-Line Search System \(CROSS\)](#) – a database of published rulings, the [Customs Bulletin and Decisions](#), pertinent [Federal Register Notices](#), [CBP Directives and Handbooks](#), [Informed Compliance Publications](#), and a [summary of laws enforced by CBP](#).

Ruling Requests

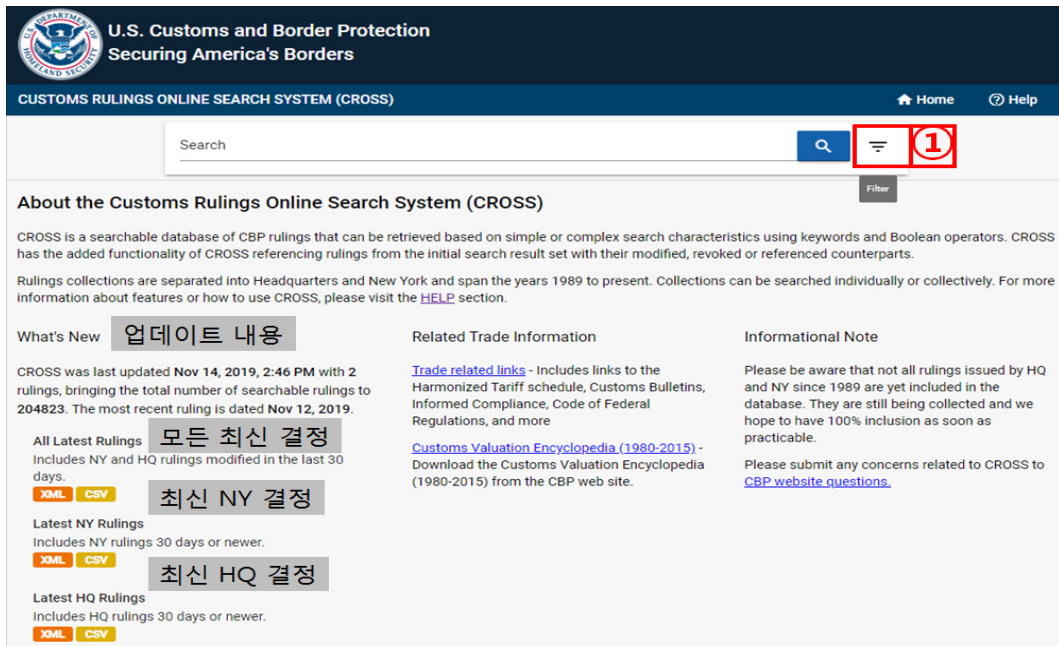
QUICK LINKS: RULINGS AND LEGAL DECISIONS

- [Regulations and Rulings Contact Numbers](#)
- [Customs Bulletin and Decisions](#)
- ① ◦ [Customs Rulings Online Search System \(CROSS\)](#)
- [Electronic Ruling Requests](#)
- [Harmonized Tariff Schedule of the United States \(HTSUS\)](#)
- [Informed Compliance Publications \(ICPs\)](#)
- [Intellectual Property Rights e-Recordation \(IPRR\)](#)
- [Intellectual Property Rights Search \(IPRS\)](#)
- [Passenger Vessel Services Act \(PVSA\)](#)

STEP 3

CROSS 접속

- 화면 상단 검색박스가 있으며 최근 자료 업데이트일자, 결정 개수 등과 최신 결정 내역을 XML, CSV 파일 형식으로 조회할 수 있음
- ① 아이콘 클릭시 상세 검색박스가 나타남



U.S. Customs and Border Protection
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CUSTOMS RULINGS ONLINE SEARCH SYSTEM (CROSS)

Search

About the Customs Rulings Online Search System (CROSS)

CROSS is a searchable database of CBP rulings that can be retrieved based on simple or complex search characteristics using keywords and Boolean operators. CROSS has the added functionality of CROSS referencing rulings from the initial search result set with their modified, revoked or referenced counterparts.

Rulings collections are separated into Headquarters and New York and span the years 1989 to present. Collections can be searched individually or collectively. For more information about features or how to use CROSS, please visit the [HELP](#) section.

What's New 업데이트 내용

CROSS was last updated Nov 14, 2019, 2:46 PM with 2 rulings, bringing the total number of searchable rulings to 204823. The most recent ruling is dated Nov 12, 2019.

All Latest Rulings 모든 최신 결정
Includes NY and HQ rulings modified in the last 30 days.
[XML](#) [CSV](#) **최신 NY 결정**

Latest NY Rulings
Includes NY rulings 30 days or newer.
[XML](#) [CSV](#) **최신 HQ 결정**

Latest HQ Rulings
Includes HQ rulings 30 days or newer.
[XML](#) [CSV](#)

Related Trade Information

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STEP 4

상세 검색

- 상세 검색 박스에서 발행기관(ALL/NY/HQ), NAFTA만 조회, 유효기간, 정렬순서 및 페이지당 항목수를 선택하여 검색할 수 있음
- ① '키워드' 항목에 조회할 상품명 또는 세번 입력 후 ② 검색 아이콘 클릭



① Search 키워드

②

Collection: 발행기관 선택
ALL

Ruling Date: 유효기간(시작/종료)
From
To

Sort By: 정렬 순서
Relevance



Items per page: 페이지당 항목수
30

☐ NAFTA Related Only
NAFTA만 조회

STEP 5

검색 결과 확인

- 검색 목록 왼쪽부터 차례로 날짜, 문서번호 및 결정세번, 상품명 및 수입국가, 관련 문서 항목임
- 결정서 내역을 확인하기 위하여 조회할 물품의 ① 문서번호 클릭

발행일자	문서번호 결정세번	상품명 및 수입국가	관련문서
DATE	RULING CATEGORY TARIFF NO	RULING REFERENCE	RELATED
3/23/1999	① NY D88750  Classification 8707.10.0020 8708.80.4500 8708.91.5000 8708.94.5000 8708.99.8080	The tariff classification of Fiberglass Body Panels, Steel Frame, Radiator, Steering Rack, Suspension Parts from Great Britain	Modified by: 963215
3/11/2005	NY L82226  Classification 4016.99.3000 4016.99.3500 4016.99.5500 4016.99.6050	The tariff classification of rubber bushings and plateform mounts from China.	

STEP 6

결정서 확인

- 발행된 결정서가 오른쪽 화면에 나타남
- 결정서는 출력 또는 다운로드 가능하며 문서번호, 발행일자, 사전심사 유형, 결정세번, 신청인 정보, 신청내용, 분류근거 등을 포함함



합
계

