

ITEM: Air spring consisting of a fabric-reinforced rubber bellow (vulcanized rubber), steel plates, and a plastic piston, to be used as a component in the suspension system of semi-trailers. The product is designed to absorb shocks and bumps and to act as a vibration isolator and chassis height adjustment actuator. The plastic piston allows for further tuning of spring rates.

Tariff Classification Suggestion

Phase 1

Top 3 candidate chapters

Chapter	Justification
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87	By GRI 1, classification follows the heading texts; heading 87.16 covers “Trailers and semi-trailers; their parts,” matching a suspension component for semi-trailers. Heading 87.08 is limited to motor vehicles of 87.01–87.05, not trailers. GRI 3(a) favors this specific vehicle-parts provision over generic material-based chapters.
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40	The item includes a fabric-reinforced vulcanized rubber bellow; if classified by material, it could fall under 40.16 “Other articles of vulcanized rubber (other than hard rubber)” (residual). However, as an identifiable part of a trailer’s suspension, the more specific vehicle-parts provision in Chapter 87 prevails per GRI 3(a).
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39	Despite the plastic piston, Chapter 39 is excluded for “parts of transport equipment of Section XVII” by the National Explanatory Notes for Chapter 39; 39.26 is a residual basket for plastic articles. Given the product’s principal use as a trailer part, GRIs 1 and 3(a) direct to Chapter 87.
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Phase 2

TARIFF CLASSIFICATION RULING

I. Applicable regulatory framework

- General Rule of Interpretation (GRI) 1: “THE TITLES OF SECTIONS, CHAPTERS OR SUBCHAPTERS ARE PROVIDED FOR EASE OF REFERENCE ONLY; FOR LEGAL

PURPOSES, CLASSIFICATION SHALL BE DETERMINED ACCORDING TO THE TERMS OF THE HEADINGS AND ANY RELATIVE SECTION OR CHAPTER NOTES...”

- GRI 2(b): “ANY REFERENCE IN A HEADING TO A MATERIAL OR SUBSTANCE SHALL BE TAKEN TO INCLUDE A REFERENCE TO MIXTURES OR COMBINATIONS OF THAT MATERIAL OR SUBSTANCE WITH OTHER MATERIALS OR SUBSTANCES... THE CLASSIFICATION OF GOODS CONSISTING OF MORE THAN ONE MATERIAL OR SUBSTANCE SHALL BE ACCORDING TO THE PRINCIPLES OF RULE 3.”
- GRI 3(a) and 3(b): “WHEN... GOODS ARE, PRIMA FACIE, CLASSIFIABLE UNDER TWO OR MORE HEADINGS, THE HEADING WHICH PROVIDES THE MOST SPECIFIC DESCRIPTION SHALL BE PREFERRED TO HEADINGS PROVIDING A MORE GENERAL DESCRIPTION...”; and “MIXTURES, COMPOSITE GOODS CONSISTING OF DIFFERENT MATERIALS... SHALL BE CLASSIFIED AS IF THEY CONSISTED OF THE MATERIAL OR COMPONENT WHICH GIVES THEM THEIR ESSENTIAL CHARACTER...”
- GRI 6: “For legal purposes, the classification of goods in the subheadings of a heading shall be determined according to the terms of those subheadings and any related Subheading Notes and, mutatis mutandis, to the above Rules.”
- National Note Ch. 87 (NESA). For purposes of heading 87.16, “trailers are considered to be vehicles that are not capable of moving by their own means; therefore, they need to be towed or pushed by a vehicle, animal, by hand, etc.”
- Text of Chapter 87, heading 87.16: “Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof.”
- Subheading 8716.90: “Parts.”

II. Legal-technical analysis Technical description of the good: Air spring consisting of a fabric-reinforced vulcanized rubber bellow, steel plates, and a plastic piston, designed to absorb impacts, isolate vibrations, and adjust chassis height, for use as a suspension component in semi-trailers.

1) Applicable chapter

- Under GRI 1, classification shall be according to the terms of the headings and legal notes. The good is a suspension component of a semi-trailer; therefore, it belongs in Chapter 87 (vehicles and parts thereof). Heading 87.16 covers “trailers and semi-trailers...; parts thereof,” in accordance with the cited legal text and the national definition of trailer/semi-trailer in the Chapter 87 NESA.

2) Heading and subheading

- Heading 87.16. The product is an identifiable “part” of a semi-trailer suspension system. Within heading 87.16, the relevant subheading for “Parts” is 8716.90, as there is no more specific subheading in 87.16 for “suspension systems” or “air springs” of trailers. Pursuant to GRI 6, selection at the subheading level is determined by the terms of the subheadings themselves; “8716.90 – Parts” applies.

3) Composite nature of the article and priority of specificity

- Although the article is composite (vulcanized/textile-reinforced rubber + steel + plastic), classification should not be driven by material but by its status as a clearly identifiable semi-trailer part and its function in the vehicle’s suspension. In any doubt between material-based and function-based headings, GRI 3(a) gives priority to the more specific description (“parts of trailers/semi-trailers” in 87.16) over a generic material description (e.g., “other articles of rubber” in Ch. 40). If needed, GRIs 2(b) and 3(b) confirm that, being a composite article, its essential character is given by its function as a semi-trailer suspension element, not merely by the presence of rubber.

Determination at subheading level: 8716.90.

III. Exclusion of alternative headings or chapters (Chapters 87 and 40)

- 87.08 (parts and accessories of the motor vehicles of headings 87.01 to 87.05). Excluded because the text limits the scope to vehicles of 87.01 to 87.05; semi-trailers are classified in 87.16. Consequently, an air spring for a semi-trailer suspension is not a part of a vehicle of 87.01–87.05, so 87.08 (including 8708.80 “Suspension systems and parts thereof”) does not apply here.
- 87.14 (parts and accessories of vehicles of 87.11 to 87.13). Not applicable, as the good is not a part of motorcycles, bicycles, or wheelchairs; it is a part of a semi-trailer (87.16).
- Chapter 40 (rubber and articles thereof). • 4016 “Other articles of vulcanized rubber (other than hard rubber).” The residual subheading 4016.99 (and, in particular, the national identification “vibration control elements, of a kind used in vehicles of headings 87.01 to 87.05”) does not apply for two legal reasons: i) the good is an identifiable part of a semi-trailer (87.16) and, under GRI 3(a), the use/function-based heading (parts of trailers and semi-trailers) is more specific than the residual material-based heading; and ii) the national reference in 4016.99.99.07 refers to vehicles of 87.01–87.05, not to trailers or semi-trailers of 87.16. • 4016.95 “Other inflatable articles (life belts, docking fenders...)” is

inapplicable by nature and use; the air spring is not a safety inflatable or similar article, but a technical component of vehicle suspension. • Other headings in Chapter 40 (e.g., 4009 “tubes,” 4014 “hygienic or pharmaceutical articles (air cushions),” 4016.93 “gaskets”) do not describe the merchandise or its function as a semi-trailer suspension component. In sum, Chapter 40 contains material-based, residual descriptions; the merchandise is identified instead by its function and destination as a semi-trailer part (87.16). Under GRIs 1 and 3(a), 87.16 prevails over 40.16.

IV. Documentary requirements To support classification at subheading 8716.90, the importer must provide:

- Technical datasheet and/or manufacturer’s catalog showing its function as an “air spring” for semi-trailer suspension (model/series, dimensions, materials, working pressure).
- Evidence of destination and exclusive use in semi-trailers: OEM/aftermarket references, application lists, installation diagrams on semi-trailer axle/suspension.
- Photographs of the product and its components (bellows, metal plates, plastic piston), and the installation manual.
- Description of materials and process (textile-reinforced vulcanized rubber, metal/plastic parts) to confirm its status as a composite article (GRI 2(b)).
- Commercial information needed to determine the national tariff line and NICO, as applicable (country of origin, use, vehicle brand/model, etc.).

V. Conclusion

- Proposed tariff classification at subheading level: 8716.90.

Classification table

- Chapter: 87
- Heading: 87.16
- Subheading (6 digits): 8716.90
- Tariff line (8 digits): To be defined according to applicable national breakdowns
- NICO: To be defined

Ruling: Based on GRIs 1, 2(b), 3(a), 3(b), and 6, on the National Note of Chapter 87 for heading 87.16, and on the legal texts of Chapter 87, it is determined that the described “air

113 spring,” intended as a semi-trailer suspension component, is classified in subheading
114 8716.90 (Parts).