

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

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## Tariff Classification Suggestion

### Phase 1

#### Top 3 candidate chapters

Chapter	Justification
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| <b>87</b> | By GRI 1 and 3(a), the most specific description prevails over generic ones. Chapter 87 covers vehicles and their parts and accessories; headings 87.08 (parts of motor vehicles) and 87.16 (trailers; their parts) align with a suspension component for buses and semi-trailers. |
| <b>40</b> | If not identifiable as solely/primarily for vehicles, it could fall under “other articles of vulcanized rubber” (4016), a residual basket for rubber goods. However, per GRI 3(a), the specific vehicle-parts regime in 87 prevails when use as a suspension part is established.  |
| <b>73</b> | Only if treated as a steel spring; heading 73.20 covers springs of iron or steel. Given the article is a composite “air spring” whose essential character is the vulcanized rubber bellow, GRI 3(b) points away from 73 toward the heading reflecting its principal use/material.  |

### Phase 2

## TARIFF CLASSIFICATION RULING

#### I. Applicable legal framework

- General Rules of Interpretation (GRI) • “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 1, Explanatory Notes). • “ANY REFERENCE TO A MATERIAL OR SUBSTANCE IN A HEADING 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 2(b)). • “THE HEADING WHICH PROVIDES THE MOST SPECIFIC DESCRIPTION SHALL BE PREFERRED TO HEADINGS PROVIDING A MORE GENERAL DESCRIPTION...” (GRI 3(a), with Explanatory Notes instructing to apply specificity first, then essential character, and, if needed, the heading occurring last in numerical order). • “Classification... shall be according to the material or component which gives them their essential character, insofar as this criterion is applicable.” (GRI 3(b), Explanatory Notes). • “Rules 1 to 5... shall apply, mutatis mutandis, to classification at subheading levels...” (GRI 6, Explanatory Notes).

- Chapter 87 (Vehicles; parts and accessories) • Heading 87.08: “Parts and accessories of the motor vehicles of headings 87.01 to 87.05.” Subheading 8708.80: “Suspension systems and parts thereof (including shock absorbers).” • Chapter 87, Heading 87.16: “Trailers and semi-trailers...; parts thereof.” Subheading 8716.90: “Parts.” • National Explanatory Note (NESA) for Chapter 87 (condensed): “For the purposes of heading 87.16, trailers are vehicles that are not capable of moving by their own means...”
- Chapter 40 (Rubber and articles thereof) • Chapter 40 Notes (condensed): the term rubber includes natural and synthetic rubber and, unless otherwise provided, the chapter covers rubber and its articles (Note 1) and lists certain exclusions (Note 2).
  - Heading 40.16: “Other articles of vulcanized rubber, other than hard rubber.” Subheading 4016.95: “Other inflatable articles.” Subheading 4016.99: “Other,” including national lines such as “Vibration control elements...”

## II. Juridical-technical analysis

Product described: Air spring composed of a fabric-reinforced vulcanized rubber bellow, steel plates and a steel middle ring, to be used as a component in the suspension system of semi-trailers or buses; it absorbs shocks and vibrations and enables chassis height adjustment.

### 1) Chapter selection by GRI 1 and text of headings

- By function and destination, the article is a component of a vehicle suspension. Heading 87.08 explicitly covers “Suspension systems and parts thereof (including shock absorbers)” for motor vehicles of 87.01–87.05, which includes buses (87.02). Under GRI 1, this is a precise legal description of the good’s function and use.

- If and only if the article is for trailers/semi-trailers, the goods fall in Chapter 87 heading 87.16 (“Trailers and semi-trailers...; parts thereof”) and subheading 8716.90 (“Parts”), as trailers are non-self-propelled vehicles per the national note and the legal text of 87.16.
  - 2) Subheading selection by GRI 6
    - Within 87.08, subheading 8708.80 specifically names “Suspension systems and parts thereof,” which is more specific than residual “other” lines; therefore, by GRI 6 in conjunction with GRI 3(a), 8708.80 prevails for suspension components for motor vehicles of 87.01–87.05 (buses).
  - 3) Composite article analysis (rubber + steel)
    - The air spring is a composite assembly. Under GRI 2(b) and GRI 3(b), classification of composite goods proceeds by the heading conferring essential character. Here, essential character derives from the article’s function as a suspension component for vehicles (shock/vibration isolation and height control), rather than from its constituent materials, pointing to heading 87.08 (if for buses) or 87.16 (if for trailers) rather than Chapter 40 material-based provisions.
- III. Exclusion of alternative headings within Chapters 87 and 40
- Excluding 8708.99 (“Other”): A residual “other” parts provision in 87.08 is displaced by the more specific subheading 8708.80 for “Suspension systems and parts thereof,” per GRI 3(a).
  - Excluding 8716.90 (“Parts”) when the goods are for buses: Heading 87.16 covers trailers and their parts; it does not cover buses. For parts for buses (vehicles of 87.02), heading 87.08 is the specific legal provision naming suspension systems and parts. Under GRI 3(a), a specific description (8708.80) prevails over a generic “parts” provision of another heading (8716.90). Therefore, 8716.90 only applies when the article is suitable for use solely or primarily with trailers/semi-trailers; in the absence of that condition, it is discarded in favor of 8708.80.
  - Excluding 4016.95 (“Other inflatable articles”) and 4016.99 (“Other”): Although the bellow inflates and is made of vulcanized rubber, Chapter 40 is material-driven and residual for rubber articles. Given there is a heading naming “suspension systems and parts” in Chapter 87, GRI 1 and GRI 3(a) require preferring the function-/destination-based, more specific vehicle-parts provision (8708.80) over generic rubber articles headings (4016.95/4016.99). National lines even list generic “Vibration control elements” in 4016.99, which further shows these are residual

rubber articles; this does not override the specific suspension-parts provision when the article is identifiable as such for vehicles of 87.01–87.05.

Important note on discarding 8716.90: The final classification is not 8716.90 whenever the air spring is for buses (motor vehicles of 87.02) because heading 87.08 specifically and expressly covers “suspension systems and parts thereof,” which is a more precise legal description than “parts” of trailers in 87.16.90; GRI 3(a) mandates the more specific description prevails. Only where the article is for trailers/semi-trailers should 8716.90 be selected.

#### IV. Documentary requirements for the importer

To substantiate the sole or principal use and the identification as a suspension component:

- Technical data sheet and engineering drawings specifying function as air spring for suspension, construction (rubber bellow with textile reinforcement, steel plates/ring), dimensions, operating pressure and stroke.
- Application list or OEM/aftermarket part numbers linking the model to bus chassis (87.02) and/or trailer/semi-trailer models (87.16); installation manual indicating vehicle type.
- Photographs of the article and its mounting interfaces; packaging/labeling indicating targeted vehicle.
- Evidence supporting principal use (sales records by application, catalog cross-references). These documents support the application of GRI 1, 3(a), 3(b) and the selection among subheadings under GRI 6.

#### V. Conclusion

- Conditional determination

Option A (if the article is for motor vehicles of 87.01–87.05, e.g., buses 87.02, and is identifiable as a suspension component) • Legal basis: heading 87.08; subheading “Suspension systems and parts thereof” (GRI 1, GRI 6). • Classification table:

- Chapter: 87
- Heading: 8708
- Subheading (proposed): 8708.80
- National sub-division (Fraction): To be determined by specific national line
- NICO: To be determined

117 Option B (if the article is for trailers/semi-trailers of heading 87.16, suitable for use solely or  
 118 primarily therewith) • Legal basis: heading 87.16; subheading “Parts” (GRI 1, GRI 6). •  
 119 Classification table:

- 120 • Chapter: 87
- 121 • Heading: 8716
- 122 • Subheading (proposed): 8716.90
- 123 • National sub-division (Fraction): To be determined by specific national line
- 124 • NICO: To be determined

125 Option C (only if it is not identifiable as a vehicle part of Section 87 and is presented as a  
 126 generic rubber article) • Legal basis: heading 40.16; subheading “Other” for other articles  
 127 of vulcanized rubber (GRI 1, GRI 3(a)). • Classification table:

- 128 • Chapter: 40
- 129 • Heading: 4016
- 130 • Subheading (proposed): 4016.99
- 131 • National sub-division (Fraction): To be determined by specific national line
- 132 • NICO: To be determined

133 MISSING CRITERIA:

- 134 • Definitive identification of the vehicle type(s) for which the air spring is designed and  
 135 marketed (bus of 87.02 vs trailer/semi-trailer of 87.16).
- 136 • Evidence of sole or principal use (application lists, OEM P/N, installation manuals).
- 137 • Mounting specifications and interfaces indicating vehicle family (motor vehicle  
 138 chassis vs trailer bogie).
- 139 • Any markings/labels/catalog references linking the model to buses or trailers.

140 Resolution Subject to the documentary evidence, the most specific subheading by  
 141 function is:

- 142 • For buses (motor vehicles 87.01–87.05): 8708.80 (Suspension systems and parts  
 143 thereof).
- 144 • For trailers/semi-trailers: 8716.90 (Parts).

- 145       •     Failing identification as a vehicle part, residual rubber article: 4016.99 (Other).
- 146     The subheading must be selected according to GRI 1, 3(a), 3(b) and 6, prioritizing the most
- 147     specific legal text and the essential character of the article as a suspension component.