



US Department of Commerce
Bureau of Industry and Security

How to Classify your Item



How to Classify My Item

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**Office of Nonproliferation and
Treaty Compliance**

	How to Submit an Application	How to US Government Processes your License Application	Export Clearance Requirements	Office of Export Enforcement	Managing your Export Compliance
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How is my Item Classified for Export Control Purposes?

- Commerce Control List ("CCL")
- Export Control Classification Number ("ECCN")
- Reasons for Control
- Commerce Country Chart
- Classification of the Item
- Technology & Software Controls



Commerce Control List ("CCL")

Supplement 1 to Part 774

- In conjunction with the Commerce Country Chart, it is used to determine whether a license is required for a particular item based on the destination.
- List of Items under the export control jurisdiction of BIS (in addition to other items subject to the EAR).



Structure of the Commerce Control List

- Supplement 1 to Part 774
 - Ten Categories
 - Five Product Groups
 - Alphabetical Index
 - Numerical Index
 - Entries (Export Control Classification Number)
- Supplement 2 to Part 774
 - General Technology Note
 - General Software Note



What is an Export Control Classification Number (“ECCN”)?

- Entries used to identify items on the Commerce Control List
- Consist of a set of digits and a letter
 - e.g. 3A001, 5B992, 1C350
- Identifies the type of controls associated with the item.



The Structure of the ECCN

0 A 018

0

Category

A

Product Group

018

Type of Control



Categories of the Commerce Control List

0	Miscellaneous & Nuclear Materials
1	Materials, Chemicals, Microorganisms, and Toxins
2	Materials Processing
3	Electronics
4	Computers
5	Part 1-Telecommunication
5	Part 2-Information Security
6	Sensors & Lasers
7	Navigation & Avionics
8	Marine
9	Aerospace & Propulsion



Product Groups of the Commerce Control List

A	Systems, Equipment & Components
B	Test, Inspection & Production Equipment
C	Materials
D	Software
E	Technology

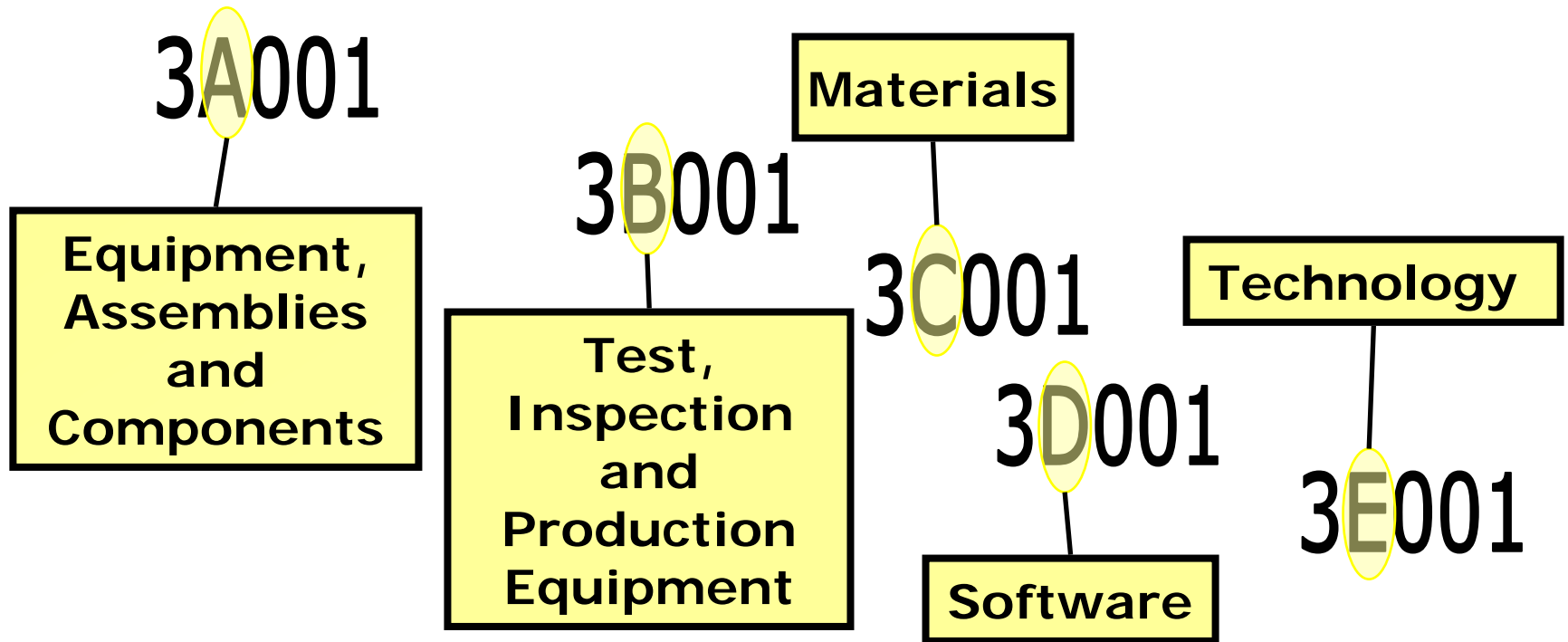


Type of Controls Associated with Entry

0	National Security Reasons
1	Missile Technology Reasons
2	Nuclear Nonproliferation Reasons
3	Chemical & Biological Weapons Reasons
9	Anti-terrorism Crime Control Regional Stability Short Supply UN Sanctions Surreptitious Listening



Most of the time related items are grouped in series





How to Read an ECCN

**0A979 Police helmets and shields; and parts,
n.e.s.**

Heading:

*ECCN &
Description*

License Requirements

Reason for Control: CC

Control(s)

Country Chart

CC applies to entire entry

CC Column 1

License Exceptions

LVS: N/A

GBS: N/A

CIV: N/A

List of Items Controlled

Unit: \$ value

Related Controls: N/A

Related Definitions: N/A

Items:

The list of items controlled is contained in the ECCN heading.



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License Requirements:

Reasons for Control



What are the Reasons for Control of Items under the EAR?

- AT = Anti-Terrorism
- CB = Chemical & Biological Weapons
- CC = Crime Control
- CW = Chemical Weapons Convention
- EI = Encryption Item
- FC = Firearms Convention
- MT = Missile Technology
- NP = Nuclear Nonproliferation
- NS = National Security
- RS = Regional Stability
- SI = Significant Item
- SL = Surreptitious Listening
- SS = Short Supply
- UN = United Nations Arms Embargo



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Unit: \$ value

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Items:

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**License
Exceptions:**

List-Based



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License Requirements

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Country Chart

CC applies to entire entry

CC Column 1

License Exceptions

LVS: N/A

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CIV: N/A

**List of
Items
Controlled:**

Units

*Related
Controls*

*Related
Definitions*

Items

List of Items Controlled

Unit: \$ value

Related Controls: N/A

Related Definitions: N/A

Items:

The list of items controlled is contained in the ECCN heading.



EAR99 Items

- Items that are not specifically listed on the Commerce Control List yet subject to the EAR, use the designation EAR99 in place of an ECCN.
- This designation may be found at the end of every category of the CCL:

"EAR99 Items subject to the EAR that are not elsewhere specified in this CCL Category or in any other category in the CCL are designated by the number EAR99."



No License Required (“NLR”)

- When an item *is not listed on the CCL* but falls under the scope of the EAR *and* *no General Prohibitions* apply to the export.
- When an item *is listed on the CCL* but does not require a license to the destination *and* *no General Prohibitions* apply to the export.



How can you obtain the ECCN of your item?

1. Ask the manufacturer, but verify...
2. Self-classify
 - Work with the company engineer or someone who knows the item
3. Submit a formal classification request to BIS



An Approach to Self-Classifying Items

- Review of general characteristics of the item to narrow down to appropriate Category
- Consider an index comparison
- Read ECCN “Item” heading under “List of Items Controlled”
- Match particular characteristics, functions, and applications to a specific ECCN

Pay attention to Related Controls and Related Definitions with the ECCN Entry!



Other Useful Guidance when Classifying your Item

- Technical Notes and Advisory Notes in items list
- n.e.s.-not elsewhere specified
- Part 772 Definitions
- Part 770 Interpretations
 - Clarifies scope of controls on CCL for certain items



Software & Technology

- Most software and technology is controlled based on hardware.
- If your item is “development”, “production”, or “use” technology or software, it will be necessary to classify the related end-item hardware



General Software Note

Supplement 2 to Part 774

- Over the Counter/Retail Sale/User installed
- Designated terrorism supporting destinations
 - Cuba, Iran, North Korea, Sudan, and Syria
- Linked to License Exceptions TSU
 - “Mass Market” software
- Special Encryption Policy
 - Category 5, Part 2



General Technology Note

Supplement 2 to Part 774

- Technology “**required**” for the “**development**”, “**production**”, or “**use**” of a controlled product remains controlled even when it is applicable to an uncontrolled product.



Exercises





Exercise #5: Classifying Machine Tools

Milling Machine Tool



Machine tools for milling with high positioning accuracy and multiple independent axes are necessary for the production of precision complex components required in modern weapon systems, such as combat aircraft and nuclear weapons. They are also used in the production of civil aircraft, automobiles, and other civil products.

b. Machine tools for milling, having any, of the following characteristics:

1.

a. Positioning accuracy with "all compensations available" equal to or less (better) than $6 \mu m$ according to ISO 230/2 (1988)² or national equivalents along any linear axis; and

b. Three linear axes plus one rotary axis which can be coordinated simultaneously for "contouring control"

2. Five or more axes which can be coordinated simultaneously for "contouring control", or

3. A positioning accuracy for jig boring machines, with "all compensations available" equal or less (better) than $4 \mu m$ according to ISO 230/2 (1986)² or national equivalents along linear axis.

- You acquire some new machine tools. This will assist you in both your auto parts manufacturing and civil aircraft parts business.
- What is your ECCN?

Exercise #8: Classifying Materials Zirconium or Magnesium Powder



Zirconium and magnesium powders, in small particle sizes, are used as components of solid rocket fuel to provide very high energy oxidation. They also can be used as a component of coating material for high temperature components in civil and military gas turbine engines.

a. Metals in particle sizes of less than 60 μm whether spherical, atomized, spheroidal, flaked or ground, manufactured from material consisting of 99% or more zirconium, magnesium, and alloys of these;

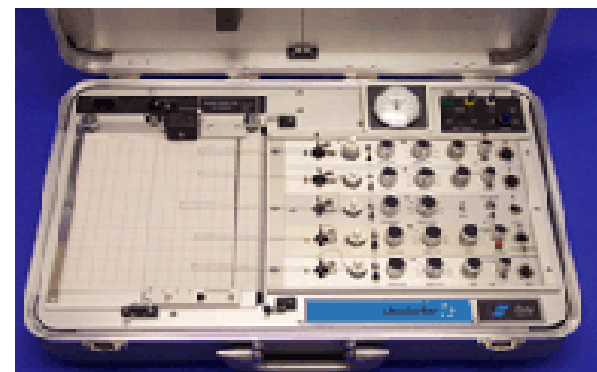
Technical Note: The natural content of hafnium in the zirconium (typically 2% to 7%) is counted with zirconium.

Note: The metals or alloys are controlled whether or not the metals or alloys are encapsulated in aluminum, magnesium, zirconium, or beryllium.

- You are supplier of protective coatings used on high temperature components of civil gas turbine engines. Your product is made from a 99% zirconium alloy in flaked form. The finished product is encapsulated in beryllium.
- What is your ECCN?

Exercise #10(b): Classifying Commodity/Software Polygraph and Related Software

- You are manufacturer of polygraph machines and related software. You get an inquiry from Turkey for one polygraph machine
 - What is your ECCN?
- You get an inquiry from Romania for software to develop polygraph machines
 - What is the ECCN?
- The same customer now wants to buy the software necessary to operate, install, maintain, repair, and overhaul the polygraph
 - What is the ECCN?

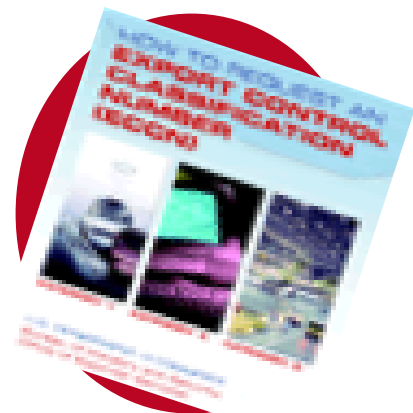




If you cannot Self-Classify your item... ...Request an Official Classification

File using SNAP-R (or BIS-748-P)

- “Best guess” ECCN
- Maximum of six items per request
- Item details
 - Manufacturer
 - Model/Part number
 - Applications
 - Specifications
- Include detailed technical specifications
 - Pictorial illustration, e.g. sales brochures





How can I register for SNAP-R?

- Go to the PIN Request page and fill out either the “Company Certification Letter” or “Third Party Certification Letter” if you are a third-party submitter.
- Company certification is required
- Should receive user ID and PIN within ten (10) business days.

<http://www.bis.doc.gov/SNAP/pinsnapr.htm>