US Department of Commerce

Classification of Items on the Commerce Control List

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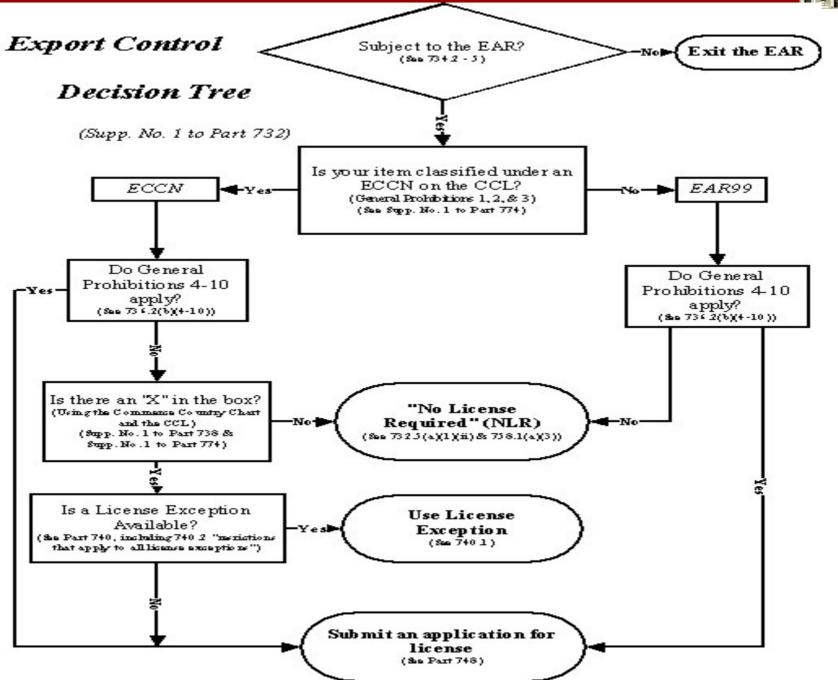| Overview of the Export Administration Regulations	Classification of Items on the Commerce Control List	Determining License Requirements Based on ECCN and Destination	Determining Other Licensing Requirements

Topics of Discussion

- Determining the Export Control Classification Number ("ECCN")
  - The Commerce Control List ("CCL")
- Self-Classification
- Official Commodity Classification Request
  - SNAP-R

Export Control Decision Tree

(Supp. No. 1 to Part 732)

- Subject to the EAR? (See 734.2 - 5) → No → **Exit the EAR**
- Yes ↓
- Is your item classified under an ECCN on the CCL? (General Prohibitions 1, 2, & 3) (See Supp. No. 1 to Part 774)
  - Yes → *ECCN*
  - No → *EAR99*
- *ECCN* ↓ Do General Prohibitions 4-10 apply? (See 736.2(b)(4-10))
  - Yes → Submit an application for license
  - No ↓
- Is there an "X" in the box? (Using the Commerce Country Chart and the CCL) (Supp. No. 1 to Part 738 & Supp. No. 1 to Part 774)
  - No → **"No License Required" (NLR)** (See 732.3(a)(1)(ii) & 758.1(a)(3))
  - Yes ↓
- Is a License Exception Available? (See Part 740, including 740.2 "restrictions that apply to all license exceptions")
  - Yes → **Use License Exception** (See 740.1)
  - No ↓ Submit an application for license (See Part 748)
- *EAR99* ↓ Do General Prohibitions 4-10 apply? (See 736.2(b)(4-10))
  - No → **"No License Required" (NLR)** (See 732.3(a)(1)(ii) & 758.1(a)(3))
  - Yes → Submit an application for license

Why are classifications so important?

- Proper classifications prevent:

  - Delays in exporting

  - Potential violations of the EAR

Commerce Control List ("CCL")
Part 774, Supplement No. 1

- Contains lists of those items subject to the licensing authority of BIS

- Each entry is called an Export Control Classification Number ("ECCN")

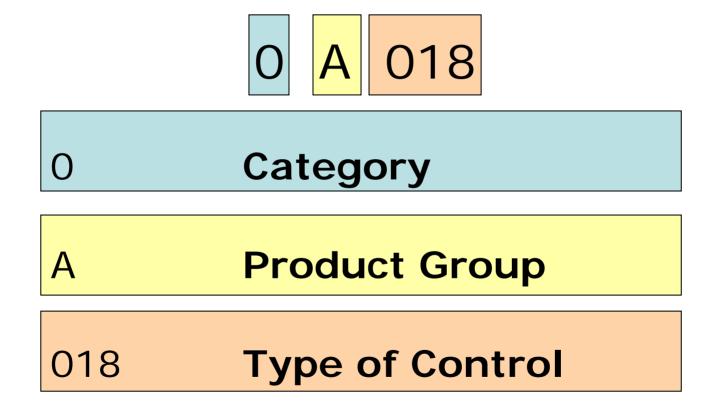- Most items are described in terms of their technical parameters

What does Export Control Classification Number ("ECCN") tell us? Part 772

- What items are controlled?

- Why BIS controls the item?

- Which destinations will require a license?

    – Country Chart in Supp. 1 to part 738,

- What (if any) list-based license exception applies?

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 w/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

3A001

Equipment, assemblies and components

3B001

Test, inspection and production equipment

Materials

3C001

3D001

Software

Technology

3E001

How to Read an ECCN entry

- Number and Heading
- License Requirements
  – Reasons For Control
- License Exceptions (List-based)
- List of Items Controlled
  – Units
  – Related Controls
  – Related Definitions
  – Items

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.

How to Read an ECCN

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

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.

License Requirements:

Reasons for Control

How to Read an ECCN

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

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.

License Exceptions:

List-Based

How to Read an ECCN

List of Items Controlled:

Units

Related Controls

Related Definitions

Items

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

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.

2B007 "Robots" having any of the following characteristics described in the List of Items Controlled and specially designed controllers and "end-effectors" therefor.

License Requirements

Reason for Control: NS, NP, AT

Control(s)	*Country Chart*
NS applies to entire entry	NS Column 2
NP applies to 2B007.b and 2B007.c and to specially designed controllers and "end-effectors" therefor	NP Column 1
AT applies to entire entry	AT Column 1

License Exceptions

LVS: $5000, except 2B007.b and .c
GBS: N/A
CIV: N/A

List of Items Controlled

Unit: $ value
Related Controls: (1) See ECCN 2D001 for "software" for items controlled under this entry. (2) See ECCNs 2E001 ("development"), 2E002 ("production"), and 2E201 ("use") for technology for items controlled under this entry. (3) Also see ECCNs 2B207, 2B225 and 2B997.
Related Definitions: N/A
Items:

a. Capable in real time of full three-dimensional image processing or full three-dimensional "scene analysis" to generate or modify "programs" or to generate or modify numerical program data;

Technical Note: The "scene analysis" limitation does not include approximation of the third dimension by viewing at a given angle, or limited grey scale interpretation for the perception of depth or texture for the approved tasks (2 ½ D).

b. Specially designed to comply with national safety standards applicable to explosive munitions environments;

c. Specially designed or rated as radiation-hardened to withstand a total radiation dose greater than 5 x 10⁵ Gy (silicon) without operational degradation; *or*

Technical Note: The term Gy (silicon) refers to the energy in Joules per kilogram absorbed by an unshielded silicon sample when exposed to ionizing radiation.

d. Specially designed to operate at altitudes exceeding 30,000m.

2B008 Assemblies or units, specially designed for machine tools, or dimensional inspection or measuring systems and equipment, as follows (see List of Items Controlled).

License Requirements

Reason for Control: NS, AT

Control(s)	*Country Chart*
NS applies to entire entry	NS Column 2
AT applies to entire entry	AT Column 1

License Exceptions

LVS: N/A
GBS: N/A
CIV: N/A

List of Items Controlled

Please see page 697 in your CFR for this ECCN entry

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."

How can you obtain the ECCN of your item?

1. Ask the manufacturer, but verify…

2. Self-classify

   - Work with company engineer or someone who knows the item

3. Submit formal classification request to BIS

An Approach to Self-Classifying Items

- Do an index comparison (good starting point)

You need to understand the functions & characteristics of the item!

Helpful Hints for Self-Classification

- Get started early classifying your items
- Understand organization of CCL and approaches to classifying items
- Understand the technical parameters of our item

How to Request a Classification
File using SNAP-R

- "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

Classification: Summary

Determining an ECCN

1. Check with the Manufacturer

2. Work with company engineer/someone who knows the item

   - CCL is organized in a logical manner

   - ECCN entries are based on the technical parameters of an item and contain important information regarding export controls

3. Submit formal classification request to BIS