



Customs Classification of LED Lighting Products

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Background

The lighting industry is currently undergoing a paradigm shift from conventional lighting to LED lighting and the development of new LED lighting products is proceeding very rapidly. The clear distinction between lamps, luminaires, control-gear, etc. which was well-defined for conventional lighting (i.e. non-LED lighting) is not automatically applicable to LED lighting. In LED lighting, there are new types of components and products and the conventional boundaries between such products and components are dissolving.

Due to the new LED lighting products and their configuration, customs classification has become less apparent. Furthermore, the existing revision of the Harmonized System where classification of lighting products was established around conventional lighting products seems no longer to provide sufficient guidance.

The Global Lighting Association (GLA) and the lighting companies represented by its various members are seriously concerned about inappropriate classification of LED lighting products, which in some cases has resulted in significant cost disadvantages and an uneven playing field in international competition. Therefore, the GLA suggests a thorough review of the current practice for classification of LED lighting products into customs tariff classes and further requests appropriate amendments of the relevant headings in the Harmonized System to better accommodate LED lighting products.

Due to the fact that the Harmonized System classification is also used as a basis for international trade statistics, industry and policy makers such as energy efficiency, electrical safety and electro-magnetic compatibility regulators will additionally benefit from the suggested amendments as they will have greater visibility of relevant LED market trends and scale.

Classification Principles

Customs classification of LED lighting products should ideally follow the value chain of the lighting industry as it is also reflected by the terms and definitions used in international standardisation. In view of these considerations, the GLA proposes the following general approach with regard to LED lighting products for the 2022 revision of the Harmonized System:

- LEDs (i.e. LED Chips and LED Packages as the basic LED components) should be covered under new/modified sub-headings of appropriately amended heading 85.41.
- LED Light Sources (i.e. LED Lamps and LED Modules) should be covered under new/modified sub-headings of appropriately amended heading 85.39.
- LED Luminaires should be covered under new/modified sub-headings of appropriately amended heading 94.05.

Appropriate definitions of these different types of LED lighting products, as well as additionally required explanations, may be added as chapter notes or explanatory notes and other headings may also require corresponding amendments. LED applications other than (general) lighting may be taken into account.

The GLA and their member associations welcome any opportunity to explain their position and considerations in more detail and are happy to provide their support and technical expertise to related public authorities and other involved stakeholders.

About the Global Lighting Association

The Global Lighting Association is a grouping of peak national and regional lighting associations representing over 5,000 lighting manufacturers and US\$75 billion annual sales. The GLA is the voice of the lighting industry on a global basis. Its primary mission is to share information, within the limits of national and EU competition law, on political, scientific, business, social and environmental issues of relevance to the lighting industry and to develop, implement and publish the position of the global lighting industry to relevant stakeholders in the international sphere. See: <http://www.globallightingassociation.org/>