



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

II. Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Manicure and pedicure sets, and combinations thereof (provided for in subheading 8214.20.90).

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
- Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

Manicure and pedicure sets are generally made of base metal and include clippers, files, and similar manicure or pedicure products when imported as sets, rather than as separate articles. Leading suppliers include China and Korea.

Heading 9902.25.55 (which expired at the end of 2009) previously provided for such sets, whether or not shrink-wrapped for retail display. However, its language contained an exclusion for sets in leather cases "or other immediate cases or containers." Sets imported in leather cases can be imported at a general duty rate of free under subheading 8214.20.60, so that exclusion would not be needed in a 9902 heading referencing subheading 8214.20.90. The last clause quoted from the existing heading is somewhat ambiguous and might be interpreted in a way that would exclude any sets that are already packed in immediate retail containers when they are imported. In other words, heading 9902.25.55 could be read as covering only "kits" of loose, individual items (for instance, 10 nail files, 10 toenail clippers, and 10 fingernail clippers) in equal numbers but in a single shipping box, ready to be put in immediate retail containers after entry. Thus, if the proponent wishes to cover all products of subheading 8214.20.90, the language in the proposed heading should be used, and it would be helpful to delete heading 9902.25.55 from the HTS.

IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	8214.20.90				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty or percentage point reduction (%)	4.1	4.1	4.1	4.1	4.1
Estimated value of <i>dutiable</i> imports (\$)	21,000,000	21,000,000	21,000,000	21,000,000	21,000,000
Customs revenue loss (\$)	861,000	861,000	861,000	861,000	861,000

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
- Provided by industry sources
- Industry information
- Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
- This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) Temporary rate (%) Percentage point reduction (%)

V. Technical comments

As noted above, the choice of whether to use the proposed heading or heading 9902.25.55 (with renewal) would depend on the product coverage desired by the proponent and the precise nature of the products it actually imports. If heading 9902.25.55 were to be renewed, the words "leather cases or" should probably be deleted.

VI. Continuation

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VII. Contacts with domestic firms/organizations

	# Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	Revlon Inc. Elise Aronson	202-449-6985	No	No	No
2	Retail Industry Leader Association Stephanie Lester	703-600-2046	No	No	No
3	Target Corp. Toni Demski-Brandl	612-696-2573	No	No	No
4	Walmart Corp. Adam Hamphill	202-434-0748	No	No	No
5	W.E. Bassett Co. Craig Finney	203-926-5331	No	No	No

112TH CONGRESS
2D SESSION

H. R. 4654

To suspend temporarily the duty on manicure and pedicure sets.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2012

Mr. BUTTERFIELD introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on manicure and pedicure
sets.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MANICURE AND PEDICURE SETS.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

“		9902.01.00		Manicure and pedicure sets, and combinations thereof (provided for in subheading 8214.20.90)		Free		No change		No change		On or before 12/31/2015	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.

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