



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)):

Electromechanical ice shavers, with self-contained electric motor (provided for in subheading 8509.40.00)

(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

The subject product, a household electric ice shaver, is a kitchen appliance used to make small servings of fine shaved ice for snow-cones, Italian ice, and other desserts. It consists of a small electric motor that is encased in a housing of plastic or other materials. A lid is used to direct the pouring of cubed or molded ice into the machine, where the ice is then crushed into fine pieces by a stainless steel blade. Other types of ice shavers may be hand-operated or hand-cranked and are classified in other tariff chapters; some imported goods designed for the amusement of children are classified for tariff purposes as toys in chapter 95. In 2011, U.S. imports of the subject articles were valued at \$11.6 million, of which approximately \$11.5 million (99.5 percent) were from China. Opposition to this bill is noted below in the Contacts table.

IV. Estimated effect on customs revenue

| Subject product HTS subheading(s) | 8509.40.00 | | | | |
|--|------------|------------|------------|------------|------------|
| Item | 2013 | 2014 | 2015 | 2016 | 2017 |
| Col.1-general rate of duty or percentage point reduction (%) | 4.2 | 4.2 | 4.2 | 4.2 | 4.2 |
| Estimated value of <i>dutiable</i> imports (\$) | 10,000,000 | 10,000,000 | 10,000,000 | 10,000,000 | 10,000,000 |
| Customs revenue loss (\$) | 420,000 | 420,000 | 420,000 | 420,000 | 420,000 |

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

H.R. 5046 is identical to the subject bill, H.R. 4796, except that the interested entity for the former is Jardens Corp.

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 | Hamilton Beach Brands, Inc. (Interested entity) Tripp Dillard | 804-418-7759 | No | No | No |
| 2 | Conair Corp. John Mayorek | 609-426-1300 | No | No | No |
| 3 | Focus Products Group, LLC Brian Beesley | 866-290-1851 | No | No | No |
| 4 | Jarden Corp. Vic Michaels | 516-912-4397 | No | No | No |
| 5 | National Presto Industries Maryjo Cohen | 715-839-2121 | No | Yes | Yes |
| 6 | Spectrum Brands, Inc. Tracy Wrycha | 608-275-4404 | No | No | No |
| 7 | Stanley Black & Decker John Wyatt | 860-255-5111 | No | No | No |

Fravel, Dennis

From: Anderson, Michael G.
Sent: Monday, June 11, 2012 10:49 AM
To: Parcan, Alexander (Intern)
Cc: Fravel, Dennis
Subject: Fw: Bill Reports (HR.4812 -HR.4815)

Hi Alex,

A response/opposition for four bills you're working on.

Michael-

----- Original Message -----

From: Maryjo Cohen - National Presto <mjc@gopresto.com>
To: Anderson, Michael G.
Sent: Mon Jun 11 10:26:27 2012
Subject: Re: Bill Reports (HR.4812 -HR.4815)

Dear Mr. Anderson:

Thank you the opportunity to comment on each of the bills referenced in your email.

As I stated on the phone, unless Congress removes the duty on ALL electric appliances coming from China, we are opposed to all of these bills, regardless of whether we make the product or not. Please understand that the categories listed are very narrow, yet they compete with other items - some of which are in the same class (e.g., grills with floating locks compete with our electric grills, griddles and skillets) and in some cases against the entire class of small appliances, e.g., a customer like Sam's or Costco does not carry a full line of electrical appliances, so that each appliance effectively competes with the other for limited shelf space devoted to kitchen appliances. If one is dutiable while another is not, that provides an unfair advantage to the dutiable item. At this point, all of these products are being manufactured in China - no one makes them in the U.S.

Accordingly, I'd recommend that the duties either be maintained or all duties on Chinese-made kitchen appliances be dropped.

Per your request, I will leave a comment to the above effect on each bill using the HR web site prior to the June 22, comment deadline period.

Mj

On Mon, 4 Jun 2012 11:36:26 -0400

<Michael.Anderson@usitc.gov> wrote:

> Dear Ms. Cohen,

>

> As per our phone conversation, I am with the U.S. International Trade Commission (the Commission), an independent agency in the U.S. Government, which, among other things, provides advice to the President and Congress on all matters

112TH CONGRESS
2D SESSION

H. R. 4796

To extend the temporary suspension of duty on electromechanical ice shavers.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2012

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

A BILL

To extend the temporary suspension of duty on electromechanical ice shavers.

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. ELECTROMECHANICAL ICE SHAVERS.**

4 (a) IN GENERAL.—Heading 9902.23.41 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 electromechanical ice shavers) is amended by striking the
7 date in the effective period column and inserting “12/31/
8 2015”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) applies with respect to goods entered, or

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- 1 withdrawn from warehouse for consumption, on or after
- 2 the 15th day after the date of enactment of this Act.

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