

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: December 20, 2005]²

Bill No. and sponsor: H.R. 3118 (Mr. Mark S. Kirk of Illinois).

Proponent name, location: The Bradford Group, Niles, Illinois.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2008.

Retroactive effect: None.

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

Music boxes with mechanical musical movements, presented in the immediate packaging for shipment to the ultimate purchaser, and each weighing not over 6 kg together with retail packaging (provided for in subheading 9208.10.00).

Check one: Same as that in bill as introduced.
 Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and sources of imports:

Music boxes are a category of musical devices that play an automated selection of music when activated (usually by a switch in the box's lid). The subject music boxes with mechanical movements make music by means of raised pins on a rotating cylinder that "pluck" the "teeth" on a tuned steel comb. Through the years, rotating discs have also been used to actuate the playing of musical notes that typically number between 18 and 144, depending upon the size of the cylinder or disc, with an individual "tune" repeating after each revolution. A wound spring provides the mechanical energy to drive these devices. In addition to wood, music boxes are made from a variety of materials including silver, ceramics, resin, and crystal. The principal sources of U.S. imports of music boxes are China, Italy, and Switzerland.

HTS subheading 9802.10.00 also covers a modern variation of music boxes where mechanical movements are replaced by battery-powered semiconductor chips or other non-mechanical apparatus that are programmed to simulate the appropriate musical notes. As reflected in the modified article description set forth above, the proponent has indicated that such articles are not the focus of this proposed legislation. Another unique characteristic of the music boxes that the proponent imports is that they are individually prepackaged by the foreign supplier in a protective mailer to which a mailing label and postage can be directly applied to facilitate shipment to the ultimate consumer of the product.

¹ Industry analyst preparing report: John Cutchin (202-205-3396); Tariff Affairs contact: Jan Summers (202-205-2605).

² An electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Estimated effect on customs revenue:

HTS subheading: 9208.10.00					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	3.2%	3.2%	3.2%	3.2%	3.2%
Estimated value <i>dutiable</i> imports	\$7,000,000	\$7,500,000	\$7,500,000	\$8,000,000	\$8,000,000
Customs revenue loss	\$224,000	\$240,000	\$240,000	\$256,000	\$256,000

Source of estimated dutiable import data: Official U.S. Government statistics, U.S. industry estimates, and Commission staff estimates.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
The Bradford Group (Proponent) Mr. Joel Platt, 847-581-8351	11/07/2005	No	No	No
The Danbury Mint Mr. Peter Maglathlin, 1-800-243-4664.	11/10/2005	No	No	No
Musical Box Society International Mr. Ralph Schack, 330-477-9681	11/10/2005	No	No	No
Porter Music Box Co., Inc. Mr. Jim Sault, 802-728-9694	11/14/2005	No	No	No

Technical comments:³

It is suggested that the article description in the proposed heading be modified to read as shown on page 1 of this report, in order to specify more precisely the goods of interest to the proponent.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
1ST SESSION

H. R. 3118

To suspend temporarily the duty on certain music boxes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2005

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

A BILL

To suspend temporarily the duty on certain music boxes.

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. CERTAIN MUSIC BOXES.**

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:

“	9902.09.52	Music boxes, whether or not put up in sets, put up for mail order retail sale, and each weighing not over 6 kg together with their retail packaging (provided for in subheading 9208.10.00)	Free	No change	No change	On or before 12/31/2008	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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