

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress ¹**

[Date approved: March 26,2008]²

Bill No. and sponsor: H.R. 2866 (Ms. Carolyn B. Maloney of New York).

Proponent name,³ location: Essex Manufacturing, New York, NY.

Other bills on product (110th Congress only): None.

Nature of bill: To suspend temporarily the duty through December 31, 2010.

Retroactive effect: None.

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

- 9902.66.01 Umbrellas, each having an arc less than 96 cm (provided for in subheading 6601.99.00).
- 9902.66.02 Umbrellas, each having an arc at least 96 cm but no greater than 120 cm, with a straight handle and a printed or imprinted canopy (provided for in subheading 6601.99.00).
- 9902.66.03 Umbrellas, each having an arc at least 96 cm but no greater than 120 cm, with a straight handle and a canopy not printed or imprinted (provided for in subheading 6601.99.00).
- 9902.66.04 Umbrellas, each having an arc at least 96 cm but no greater than 120 cm, with a curved handle (provided for in subheading 6601.99.00).
- 9902.66.05 Umbrellas, each having an arc greater than 120 cm but no greater than 140 cm (provided for in subheading 6601.99.00).
- 9902.66.06 Umbrellas, each having an arc greater than 140 cm but no greater than 152 cm (provided for in subheading 6601.99.00).
- 9902.66.07 Umbrellas, each having an arc greater than 152 cm but no greater than 165 cm (provided for in subheading 6601.99.00).
- 9902.66.08 Umbrellas, each having an arc greater than 165 cm, with a printed or imprinted canopy (provided for in subheading 6601.99.00).
- 9902.66.09 Umbrellas, each having an arc greater than 165 cm, with a canopy not printed or imprinted (provided for in subheading 6601.99.00).

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 source(s) of imports:

Stick umbrellas and golf umbrellas are used principally for protection of the individual carrying the umbrella against rain or snow. They are occasionally used to protect the individual against the sun.

¹ Industry analyst preparing report: Ralph Watkins (202-205-3492); Tariff Affairs contact: Jan Summers (202-205-2605).

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

³ The sponsor/proponent identified more than ten (10) additional beneficiaries of this bill that were verified by USITC staff.

Umbrellas typically consist of a metal tube, with a plastic or wooden handle, to which a collapsible fabric canopy is attached at the top of the tube. The canopy can be opened manually or by means of a spring mechanism that releases metal wires (stretchers) that connect the canopy to the tube. The cited HTS subheading covers complete umbrellas other than garden or similar umbrellas and umbrellas with a telescopic shaft.

China accounted for over 90 percent of U.S. imports of stick and golf umbrellas in 2006.

Estimated effect on customs revenue:

Total Estimated Revenue Loss for this Bill					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty					
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$38,180,000	\$38,180,000	\$38,180,000	\$38,180,000	\$38,180,000
Customs revenue loss	\$3,130,760	\$3,130,760	\$3,130,760	\$3,130,760	\$3,130,760

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

HTS subheading: <u>9902.66.01</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty					
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$1,330,000	\$1,330,000	\$1,330,000	\$1,330,000	\$1,330,000
Customs revenue loss	\$109,060	\$109,060	\$109,060	\$109,060	\$109,060

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

HTS subheading: <u>9902.66.02</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty					
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$3,050,000	\$3,050,000	\$3,050,000	\$3,050,000	\$3,050,000
Customs revenue loss	\$250,100	\$250,100	\$250,100	\$250,100	\$250,100

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

HTS subheading: 9902.66.03					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$6,075,000	\$6,075,000	\$6,075,000	\$6,075,000	\$6,075,000
Customs revenue loss	\$498,150	\$498,150	\$498,150	\$498,150	\$498,150

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

HTS subheading: 9902.66.04					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$3,900,000	\$3,900,000	\$3,900,000	\$3,900,000	\$3,900,000
Customs revenue loss	\$319,800	\$319,800	\$319,800	\$319,800	\$319,800

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

HTS subheading: 9902.66.05					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$2,875,000	\$2,875,000	\$2,875,000	\$2,875,000	\$2,875,000
Customs revenue loss	\$235,750	\$235,750	\$235,750	\$235,750	\$235,750

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

HTS subheading: 9902.66.06					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$3,210,000	\$3,210,000	\$3,210,000	\$3,210,000	\$3,210,000
Customs revenue loss	\$263,220	\$263,220	\$263,220	\$263,220	\$263,220

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

HTS subheading: <u>9902.66.07</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$5,860,000	\$5,860,000	\$5,860,000	\$5,860,000	\$5,860,000
Customs revenue loss	\$480,520	\$480,520	\$480,520	\$480,520	\$480,520

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

HTS subheading: <u>9902.66.08</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$5,860,000	\$5,860,000	\$5,860,000	\$5,860,000	\$5,860,000
Customs revenue loss	\$480,520	\$480,520	\$480,520	\$480,520	\$480,520

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

HTS subheading: <u>9902.66.09</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports	\$6,020,000	\$6,020,000	\$6,020,000	\$6,020,000	\$6,020,000
Customs revenue loss	\$493,640	\$493,640	\$493,640	\$493,640	\$493,640

Source of estimated dutiable import data: Commission estimates based on data supplied by the industry.

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

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Essex Manufacturing, Inc. (Proponent) Bill Baum, 212-239-0080 Bbaum@Baum-Essex.com	1/24/08	No	Yes	No
Aqua Sheen Tracy Zobel, 305-628-1400 Tracy@aquasheen.com	1/28/08	Yes	No	No
Avaline Gila Group Paul Shepard, 973-884-2323 service@avaline.com	1/28/08	No	No	No
Chaby International Inc. Richard Chaby, 215-923-2400 rchaby@chabyinc.com	2/4/08	No	No	No
Haas Jordan Umbrella Company David Waltz, 419-243-2189	1/28/08	No	No	No
Hit Promotional Products Bill Schmidt, 727-541-5561 bschmidt@hitpromo.net	1/28/08	No	No	No
Imperial Imports Sol Cohn, 212-686-7830	2/5/08	No	No	No
J.D Umbrellas J.J., 718-339-5960 jj@jdumbrellas.com	1/28/08	No	Yes	No
Name Builders Adam Evers, 888-264-5075 info@namebuilders.net	1/28/08	No	No	No
Peerless Umbrella Company Gene Moskowitz, 973-578-4900 gene@peerlessumbrella.com	1/28/08 2/5/08	No	No	No
Premium Business Products, Inc. 800-222-7367 sales@premiumbp.com	1/28/08	No	No	No
Rainkist Umbrella Company Mayling Lee, 732-225-1717 ext. 116 Maylingl@futaiusa.com	1/31/08	No	Yes	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
RainMen USA, Inc. Jeffrey Nanus, 201-784-3244 jeffrey@AAAumbrella.com	01/28/08	Yes	Yes	No
Ready Golf.com 803-831-5347 sales@readygolf.com	01/28/08	No	No	No
Shaw Creations Ron Rankin, 732-917-6994	01/29/08	No	No	No
ShedRain Corporation Stanley Blauer, 503-255-2200 Shannon Branch Shannonb@shedrain.com	01/28/08	No	No	No
Southern Plus Grethe Adams, 706-376-5151 Grethe@southernplus.com	01/28/08	No	Yes	No
Storm Duds Raingear Tim Baurley, 508-222-0155 Tim@stormduds.com	02/07/08	No	Yes	No
Stromberg Brand Helen Stromberg, 914-739-7410 HelenS@strombergbrand.com	1/28/08	No	No	No
Totes Isotoner Corporation Don Olinger, 513-682-8462 Don.Olinger@totes.com	01/28/08	No	Yes	No
Umbrella Center 800-966-0161 customercare_2008@umbrellacenter.com	01/28/08	No	No	No
Vitronic Promotional Group Lori Kates, 877-844-5032	01/28/08	No	No	No
Windbrella Products Corp. Bob Heckler, 561-734-5222 rlh@windbrella.net	01/28/08	No	No	No
Zip Jack Umbrellas Martha Dubinsky, 914-592-2000 zipjackumb@aol.com	02/06/08	No	Yes	No

Technical comments:⁴

We defer to Customs and Border Protection as to any administrative issues in the automated entry system that might arise from linking several duty suspension provisions to a single subheading which has no statistical annotations along the lines proposed by these chapter 99 headings. Customs currently does not need to make the types of distinctions contemplated by these headings, and if any of the proposed headings were deleted from the bill that need to do so would result. Also, while it would appear that the intent of the proponent is to exhaust the contents of subheading 6601.99.00 by creating a range of headings, we defer to Customs to determine if that is the case; if not, there may be interpretative issues raised by the proposed headings.

⁴ 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.

110TH CONGRESS
1ST SESSION

H. R. 2866

To suspend temporarily the duty on stick and golf umbrellas.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2007

Mrs. MALONEY of New York introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on stick and golf umbrellas.

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 UMBRELLAS.**

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 headings:

“	9902.66.01	Umbrellas, each having an are less than 96 cm (provided for in subheading 6601.99.00)	Free	No change	No change	12/31/2010
	9902.66.02	Umbrellas, each having an are at least 96 cm but no greater than 120 cm, with a straight handle and a printed or imprinted canopy (provided for in subheading 6601.99.00)	Free	No change	No change	12/31/2010

9902.66.03	Umbrellas, each having an are at least 96 cm but no greater than 120 cm, with a straight handle and a canopy not printed or imprinted (provided for in subheading 6601.99.00)	Free	No change	No change	12/31/2010
9902.66.04	Umbrellas, each having an are at least 96 cm but no greater than 120 cm, with a curved handle (provided for in subheading 6601.99.00) ..	Free	No change	No change	12/31/2010
9902.66.05	Umbrellas, each having an are greater than 120 cm but no greater than 140 cm (provided for in subheading 6601.99.00)	Free	No change	No change	12/31/2010
9902.66.06	Umbrellas, each having an are greater than 140 cm but no greater than 152 cm (provided for in subheading 6601.99.00)	Free	No change	No change	12/31/2010
9902.66.07	Umbrellas, each having an are greater than 152 cm but no greater than 165 cm (provided for in subheading 6601.99.00)	Free	No change	No change	12/31/2010
9902.66.08	Umbrellas, each having an are greater than 165 cm, with a printed or imprinted canopy (provided for in subheading 6601.99.00)	Free	No change	No change	12/31/2010
9902.66.09	Umbrellas, each having an are of 165 cm or greater, with a canopy not printed or imprinted (provided for in subheading 6601.99.00)	Free	No change	No change	12/31/2010

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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