

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: March 5, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2127 (Mr. Bill Nelson of Florida).

**Proponent name,<sup>3</sup> location:** Jarden Consumer Solutions, Boca Raton, FL.

**Other bills on product (111<sup>th</sup> Congress only):** S. 2145, S. 2146, and S. 2147.<sup>4</sup>

**Nature of bill:** Extension of temporary duty suspension through December 31, 2011.<sup>5</sup>

**Retroactive effect:** None.

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

AC electric motors of an output exceeding 74.6 W but not exceeding 95 W, single phase, each equipped with a capacitor and a speed control mechanism (provided for in subheading 8501.40.40).

**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:**

An electric motor converts electrical energy into mechanical motion. An alternating current (AC) motor typically consists of two parts: (1) an outside stationary stator having coils supplied with AC current to produce a rotating magnetic field, and (2) an inside rotor attached to the output shaft that is given a torque by the rotating field. AC electric motors can be used in a variety of finished products (e.g., medical equipment and household appliances). However, the subject of this request is a specific type of capacitor-start single phase AC electric motor assembly used to power "air circulator" type portable electric fans, including box fans. The principal import source for such motors is China.

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<sup>1</sup> Industry analyst preparing report: Joanna Bonarriva (202-205-3312); Tariff Affairs contact: Jan Summers (202-205-2605).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill. In addition, USITC staff identified one additional beneficiary of this bill that was not identified by the sponsor/proponent, and that beneficiary submitted a written representation that it would benefit from this bill.

<sup>4</sup> These proposed bills include similar products that vary in wattage range.

<sup>5</sup> The subject product was eligible for a temporary duty suspension under HTS heading 9902.85.08 through the end of 2009.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 8501.40.40:**

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	4%	4%	4%	4%	4%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$8,000,000	\$8,000,000	\$8,000,000	\$8,000,000	\$8,000,000
Customs revenue loss <sup>b</sup>	\$320,000	\$320,000	\$320,000	\$320,000	\$320,000

a/ Dutiable import estimates were based on official U.S. Government statistics and estimates provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

**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)	
Jarden Consumer Solutions (Proponent) Vic Michels, 561-912-4397	11/18/2009	No	No	No
A.O. Smith Corp. Karen Duke, 414-359-4111	12/3/2009	No	No	No
Association of Home Appliance Manufacturers Wayne Morris, 202-872-5955 ext 313	12/2/2009	No	No	No
Baldor Electric Co. John Malinowski, 479-648-5909	12/3/2009	No	No	No
Emerson Motor Co. Rob Boteler, 314-595-8387	12/2/2009	No	No	No
Faradyne Motors Greg Walerski, 315-331-5985	12/3/2009	No	No	No
Hunter Fan Company Jim Barrett, 901-743-1360	12/2/2009	No	No	No
Lasko Products, Inc. Casey K. Richter/Lawrence Bogard Neville Peterson LLP, 202-776-1145	11/13/2009	No	No	No
The Motor and Motion Association Bill Chambers, 508-979-5935	12/2/2009	No	No	No
National Electrical Manufacturers Association John Meakem, 703-841-3243	11/30/2009	No	No	No
Regal-Beloit Electric Motors, Inc. Paul Lin, 260-416-5472	12/4/2009	Yes	Yes	Yes

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Specialty Motors, Inc. Ron Estes, 800-232-2612 ext. 109	12/2/2009	No	No	No

**Technical comments:<sup>6</sup>**

None.

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<sup>6</sup> 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.

**Submission from Regal Beloit**

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From: [Paul.Lin@rbcmtg.com](mailto:Paul.Lin@rbcmtg.com) [<mailto:Paul.Lin@rbcmtg.com> ]  
Sent: Friday, December 04, 2009 3:40 PM  
To: Bonarriva, Joanna L.  
Subject: RE: USITC review of pending legislation

Joanna, we manufacture similar products in the United States. Also, as a corporation, we philosophically disagree with the legislation.

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111TH CONGRESS  
1ST SESSION

# S. 2127

To extend the temporary suspension of duty on certain AC electric motors.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. NELSON of Florida introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To extend the temporary suspension of duty on certain AC electric motors.

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 AC ELECTRIC MOTORS.**

4 (a) IN GENERAL.—Heading 9902.85.08 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 AC electric motors of an output exceeding 74.6 watts but  
7 not exceeding 95 watts) is amended by striking “12/31/  
8 2009” and inserting “12/31/2011”.

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

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

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