

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress <sup>1</sup>**

[Date approved: July 22, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5406 (Mr. John Sullivan of Oklahoma).

**Proponent name,<sup>3</sup> location:** Whirlpool Corp., of Benton Harbor, MI.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

Microwave oven and range hood combinations with oven capacity exceeding 45.0 liters (provided for in subheading 8516.50.00).

**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:**

Microwave ovens and range hood combinations are designed for installation over electric ranges or stove cooktops in residences and restaurants. These products are typically mounted to a wall and/or an upper kitchen cabinet. These kitchen appliances employ microwave radiation to cook or heat food. Microwave ovens and range hood combinations are designed to provide kitchen space savings and convenience. These products have an oven capacity exceeding 40 liters and consist of an oven door, glass panel (for viewing), magnetron tube, 2-speed hood fan, and linear transformer. Product features include a variable power level ranging from 900 to 1500 watts, and a numeric key pad and auto-defrosting. Microwave ovens and range hood combinations also contain a rotating turntable, heating element, and food sensor to prevent over or undercooking. The principal import source of these products is China, which shipped approximately \$601.2 million of the \$1.0 billion in total dutiable imports under HTS subheading 8516.50.00 in 2007.

<sup>1</sup> Industry analyst preparing report: Ruben Mata (202-205-3403); 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/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

<sup>3</sup> The sponsor/proponent identified one additional beneficiary of this bill. USITC staff sent an inquiry to the additional beneficiary and received a response from the beneficiary. It submitted a written representation that it would not benefit from this bill, but would also not oppose the bill.

**Estimated effect on customs revenue:**

<b>HTS subheading: 8516.50.00</b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	2%	2%	2%	2%	2%
Estimated value <i>dutiable</i> imports	\$23,000,000	\$23,000,000	\$23,000,000	\$23,000,000	\$23,000,000
Customs revenue loss 1/	\$460,000	\$460,000	\$460,000	\$460,000	\$460,000

1/ Source of estimated dutiable import data: Official U.S. Government statistics and Industry estimates.

**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)		
Whirlpool Corp. (Proponent) Luke M. Harms, 202-639-9420	05/05/2008	No	No	No
BSH Bosch Home Appliances Michael Baroni, 714-899-3506	05/09/2008	No	No	No
Electrolux Ed Buckles, 216-898-2352	05/09/2008	No	No	No
General Electric Co. Earl Jones, 502-452-3164	05/09/2008	No	No	No
LG International Corp. Tim McGrady, 201-408-9181	05/12/2008	No	No	No
Matsushita Electric Industrial Co. Mark Sharp, 202-912-3800, ext.116	05/12/2008	No	No	No
Samsung Electronics Co. Michael Troisi, 201-229-4149	05/12/2008	No	No	No
Sharp Corp. Wayne Myric, 201-529-9299	05/13/2008	No	No	No

**Technical comments:<sup>4</sup>**

None.

<sup>4</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.



110TH CONGRESS  
2D SESSION

# H. R. 5406

To suspend temporarily the duty on over-the-range microwaves.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2008

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

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## A BILL

To suspend temporarily the duty on over-the-range  
microwaves.

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. OVER-THE-RANGE MICROWAVES.**

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.____	Microwave oven and range hood combinations with oven capacity exceeding 45.0 liters (provided for in subheading 8516.50.00) .....	1.8%	No change	No change	On or before 12/31/2011	”.
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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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