

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 28, 2006]²

Bill No. and sponsor: S. 2976 (Mr. Johnny Isakson of Georgia).

Proponent name, location: The Home Depot, Atlanta, GA.

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

Nature of bill: Temporary duty suspension through December 31, 2009.

Retroactive effect: None.

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

Bench grinders for grinding, polishing or otherwise finishing metal or cermets, the foregoing having wheels measuring approximately 150 mm and valued under \$3,025 each (provided for in subheading 8460.90.80).

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:

Bench grinders are metalworking machine tools that are used to grind, polish, or otherwise finish metal or cermets.³ Bench grinders typically have an electric motor that drives a shaft. The shaft protrudes through both ends of the motor. On the shafts, abrasive, felt, or wire brush wheels may be mounted for working on the workpiece. The motor is typically mounted on a base made of cast metal with protruding flanges that incorporate bolt holes for mounting on a bench or bench grinder stand. The motor housing may be made of either cast or stamped metal. The grinder typically has wheel safety guards to prevent accidental incursions into the fast moving wheels. Other features may include eye shields in front of the wheels, tool rest, and quench tray to collect coolant if a liquid is used with the wheels in a grinding operation. Six-inch bench grinders are made with a 6-inch wheel for grinding, brushing, polishing, or otherwise removing material from the article in question. The metric equivalent unit seems generally to be described as a 150 mm bench grinder.

Typical uses for bench grinders include sharpening chisels, drill bits, lawnmower and other cutting blades, deburring cut metal by using an abrasive grinding wheel; polishing metal with felt wheels; or removing old paint or rust from metal surfaces with a wire brush wheel. The principal import sources of 6-inch bench grinders are China and Taiwan.

¹ Industry analyst preparing report: Dennis Fravel (202-205-3404); 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 In the Harmonized Tariff Schedule, the term "cermets" means products containing a microscopic heterogeneous combination of a metallic component and a ceramic component. The term "cermets" includes sintered metal carbides (metal carbides sintered with a metal).

Estimated effect on customs revenue:

HTS subheading: 8460.90.80					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	4.4%	4.4%	4.4%	4.4%	4.4%
Estimated value <i>dutiable</i> imports	\$8,075,000	\$8,075,000	\$8,075,000	\$8,075,000	\$8,075,000
Customs revenue loss	\$355,300	\$355,300	\$355,300	\$355,300	\$355,300

Source of estimated dutiable import data: Commission estimates based upon official U.S. Government statistics and industry information.

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)		
The Home Depot (Proponent) Zachery Paulsen, 202-626-5921	06/20/2006	No	No	No
Baldor Electric Co. John A. McFarland, 479-646-4711	06/20/2006	Yes	Yes	Yes
Black & Decker Corp. Natalie Shields, 410-716-3078	06/20/2006	No	Yes	No
Harbor Freight Tools Suda Suebsang, 805-483-3988	06/20/2006	No	No	No
WMH Tool Group Bob Romano, 847-851-1083	06/27/2006	No	No	No

Technical comments:⁴

The word “cement” should be replaced with the term “cermet,” as found in the HTS heading description for this proposed tariff provision, and the product should be described in metric terms in language consistent with normal HTS drafting practices.

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.

109TH CONGRESS
2D SESSION

S. 2976

To suspend temporarily the duty on 6-inch bench grinders for grinding, polishing or otherwise finishing metal or cement, valued under \$3,025 each.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2006

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

A BILL

To suspend temporarily the duty on 6-inch bench grinders for grinding, polishing or otherwise finishing metal or cement, valued under \$3,025 each.

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. 6-INCH BENCH GRINDERS FOR GRINDING,**
4 **POLISHING OR OTHERWISE FINISHING**
5 **METAL OR CEMENT, VALUED UNDER \$3,025**
6 **EACH.**

7 (a) IN GENERAL.—Subchapter II of chapter 99 of
8 the Harmonized Tariff Schedule of the United States is

1 amended by inserting in numerical sequence the following
 2 new heading:

“ 9902.85.60	6-inch bench grinders for grinding, polishing or otherwise finishing metal or cement, valued under \$3,025 each (provided for in subheading 8460.90.80)	Free	No change	No change	On or before 12/31/2009	”.
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3 (b) **EFFECTIVE DATE.**—The amendment made by
 4 subsection (a) applies to goods entered, or withdrawn from
 5 warehouse for consumption, on or after the 15th day after
 6 the date of the enactment of this Act.

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