

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: February 23, 2010]²

Bill No. and sponsor: S. 1829 (Mr. Max Baucus of Montana).

Proponent name,³ location: Mother Moose Enterprises, Missoula, MT.

Other bills on product (111th 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)):

Acrylic snow globes, the foregoing not constituting festive articles (provided for in subheading 3926.40.00).

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

Product information, including uses/applications and source(s) of imports:

Acrylic snow globes are characterized by the acrylic material of the globe (of spheroid, dome, or other shapes) and are available in a variety of sizes. Under the above description, neither the figurine, object, or scenery within nor the exterior or base of the subject snow globes can reflect a festive theme or holiday motif; such “festive articles” are classified in HTS heading 9505. As the name implies, a snow globe is filled with plastic flakes (or metallic glitter) in an aqueous liquid that surrounds a figurine, object, or scenery of plastics or other materials attached to the base. Shaking or inverting the snow globe stirs up the plastic flakes which settle slowly in the liquid when the globe is set upright, thus creating the effect of snow fall upon the figurine, object, or scenery inside. Such snow globes are often sold for use as gifts, promotional items, paperweights, pencil holders, souvenirs, and collectibles, and in such cases they may include a slogan, locality name, business name, product name, sports team name, or other advertising labeling.

¹ Industry analyst preparing report: Karl Tsuji (202-205-3434); Tariff Affairs contact: Jan Summers (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor and proponent identified two additional beneficiaries of this bill. USITC staff sent inquiries to the additional beneficiaries, each of which submitted written representations that it would benefit from this bill.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3926.40.00:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	5.3%	5.3%	5.3%	5.3%	5.3%
Estimated value <i>dutiable</i> imports ^a	\$2,659,000	\$2,659,000	\$2,659,000	\$2,659,000	\$2,659,000
Customs revenue loss ^b	\$140,927	\$140,927	\$140,927	\$140,927	\$140,927

a/ Dutiable import estimates were based on Commission estimates that imports of these highly specific subject products do not exceed 1 percent of all imports under this HTS residual or "basket" category.

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)	
Mother Moose Enterprises (Proponent) Larry Kupper, President (406-721-2698, mothermoose@montana.com)	11/20/2009	No	No	No
American Gift Corp. Hal Kluger, President (305-884-6800, hkluger@agiftcorp.com)	11/24/2009	No	Yes	No
Topline Products Inc. Lupita Vargas, Purchasing Director (425-226-0738, lupita@topline.com)	11/24/2009	No	Yes	No

Technical comments:⁴

It is suggested that the article description of the proposed heading be worded as shown on page 1. We note that some snow globes may be eligible to enter free of duty as toys for the amusement of children or adults under HTS heading 9503; information is not available from industry sources on imports of these snow globes.

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.

111TH CONGRESS
1ST SESSION

S. 1829

To suspend temporarily the duty on certain acrylic snow globes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 2009

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

A BILL

To suspend temporarily the duty on certain acrylic snow globes.

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. ACRYLIC SNOW GLOBES.**

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:

“	9902.01.00	Acrylic snow globes, not festive (provided for in sub-heading 3926.40.00)	Free	No change	No change	On or before 12/31/2011	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

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

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