

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: April 16, 2010]²

Bill No. and sponsor: S. 2613 (Mr. Charles Schumer of New York).

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

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)):

Umbrellas, each having an arc measuring 152 cm or more but not more than 165 cm (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:

Umbrellas are used principally for protection of the individual carrying the umbrella against rain, snow, or sun. Umbrellas typically consist of a metal tube, with a plastic or wooden handle, to which a collapsible fabric canopy on a frame is attached at the top of the tube. The frame and 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 all umbrellas other than garden or similar umbrellas (subheading 6601.10.00) and umbrellas with a telescopic shaft (subheading 6601.91.00). The subject goods represent a subset of the referenced subheading and have a larger arc size, so that they are often used by golfers and by individuals seeking protection against rain or snow.

China accounted for about 96 percent of dutiable U.S. imports of umbrellas under HTS subheading 6601.99.00 in 2009, supplying about \$37.4 million of the \$38.4 million in dutiable imports. Hong Kong shipped about \$235,000 of dutiable imports, with several other sources each supplying small quantities.

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://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor/proponent indicated that there were more than 10 additional beneficiaries of this bill, but did not provide their identities. USITC staff sent inquiries to 20 potential additional beneficiaries and received responses from six. Each of the six submitted written verification that it would benefit from this bill.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 6601.99.00:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	8.2%	8.2%	8.2%	8.2%	8.2%
Estimated value <i>dutiable</i> imports ^a	\$5,860,000	\$5,860,000	\$5,860,000	\$5,860,000	\$5,860,000
Customs revenue loss ^b	\$480,520	\$480,520	\$480,520	\$480,520	\$480,520

a/ Dutiable import estimates were based on industry information.

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)		
Essex Manufacturing, Inc. (Proponent) Bill Baum, 212-239-0080	01/20/2010	No	No	No
Aqua Sheen Tracy Zobel, 305-628-1400	01/21/2010	No	No	No
Avaline Gila Group Paul Shephard, 973-884-2323	01/21/2010	No	No	No
Chaby International, Inc. Richard Chaby, 215-923-2400	01/21/2010	No	No	No
Futai, Inc. (USA) Mayling Lee, 732-225-1717, ext. 116	01/21/2010	No	No	No
Haas-Jordan Umbrella Co. David Walz, 419-243-2189	01/21/2010	No	No	No
Hit Promotional Products Bill Schmidt, 727-541-5561	01/21/2010	No	No	No
J.D. Umbrellas J.J., 718-339-5960	01/21/2010	No	No	No
Name Builders Adam Evers, 888-264-5075	01/21/2010	No	No	No
Peerless Umbrella Co. Gene Moskowitz, 973-578-4900	01/21/2010	No	No	No
Premium Business Products, Inc. Sales@premiumbp.com	01/21/2010	No	No	No
RainMen USA, Inc. Jeffrey Nanus, 201-784-3244	01/21/2010	Yes	Yes	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Shaw Creations Ron Rankin, 732-917-6994	01/21/2010	No	No	No
ShedRain Corp. Stanley Blauer, 503-255-2200	01/21/2010	No	No	No
Southern Plus Grethe Adams, 706-376-5151	01/21/2010	No	No	No
Storm Duds Raingear Tim Baurley, 508-222-0155	01/21/2010	No	No	No
Stromberg Brand Helen Stromberg, 914-739-7410	01/21/2010	No	No	No
Totes Isotoner Corp. Don Olinger, 513-682-8462	01/21/2010	No	No	No
Vitronic Promotional Group Lori Kates, 877-844-5032	01/21/2010	No	No	No
Windbrella Products Corp. Bob Heckler, 561-734-5222	01/21/2010	No	No	No
Zip Jack Umbrellas Martha Dubinsky, 914-592-2000	01/21/2010	No	No	No

Technical comments:⁴

It is suggested that the article description of the proposed heading be amended slightly as shown on page 1, in order to conform more closely to normal HTS usage.

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.

Submission by a U.S. manufacturer of umbrellas:

Yes that is correct

Jeffrey L. Nanus
President
RainMen USA Inc.
230 Pegasus Avenue
Northvale, NJ 07647
201-784-3244(p)
201-784- 3242(f)
www.aaaumbrella.com
www.satchelsnewyork.com

From: Ralph.Watkins@usitc.gov [mailto:Ralph.Watkins@usitc.gov]
Sent: Friday, January 22, 2010 2:50 PM
To: jeffrey@aaaumbrella.com
Subject: RE: Temporary suspension of import duties on three categories of umbrellas

Thank you for your quick response Mr. Nanus. Am I correct in understanding from your answers that your company manufactures umbrellas in the United States and also imports umbrellas to supplement its U.S. production?

Thank you.

Ralph J. Watkins
Senior International Trade Analyst
Advanced Technology and Machinery Division
Office of Industries
U.S. International Trade Commission
500 E Street, SW
Washington, DC 20436
Phone: 202-205-3492
Cell: 301-785-9374
e-mail: watkins@usitc.gov

From: Jeffrey Nanus [mailto:jeffrey@aaaumbrella.com]
Sent: Friday, January 22, 2010 2:22 PM
To: Watkins, Ralph
Subject: RE: Temporary suspension of import duties on three categories of umbrellas

Please see answers below:

Jeffrey L. Nanus
President

RainMen USA Inc.
230 Pegasus Avenue
Northvale, NJ 07647
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www.aaaumbrella.com
www.satchelsnewyork.com

From: Ralph.Watkins@usitc.gov [mailto:Ralph.Watkins@usitc.gov]
Sent: Thursday, January 21, 2010 5:10 PM
To: jeffrey@aaaumbrella.com
Subject: Temporary suspension of import duties on three categories of umbrellas

Jeffrey Nanus
RainMen USA, Inc.

Dear Mr. Nanus,

While most of us here in Washington are yearning for sunshine, I hope the rain here and in other parts of the country has been good for your bottom line.

Senator Schumer has introduced legislation that would temporarily suspend duties on three categories of imported umbrellas. I am preparing reports for the Senate Finance Committee on that legislation indicating whether or competing umbrellas are produced in the United States, the extent to which companies other than the proponent of the legislation will benefit from the temporary duty suspensions, and an estimate of the tariff revenues that will be lost to the U.S. Treasury following implementation of the legislation.

Your company has been identified as a potential beneficiary of the legislation. I am required to include your responses to the following questions in my report to the Senate Finance Committee. **Please submit your response by email to Ralph.watkins@usitc.gov no later than COB Friday February 5.**

S. 2613 covers "Umbrellas, each having an arc greater than 152 cm but not greater than 165 cm" (provided for in Harmonized Tariff Schedule subheading 6601.99.00). The most favored nation tariff rate is 8.2 percent.

1. Does your company manufacture umbrellas of this type or other competing umbrellas in the United States? [yes](#)

2. Do you know of any companies that manufacture umbrellas of this type or other competing umbrellas in the United States? If so, please identify the companies so we can contact them to determine whether or not the companies oppose this legislation. [NO](#)

3. Would your company benefit from this legislation? [Yes](#)

4. Does your company oppose the legislation? [NO](#) If so, please submit a brief explanation for your opposition.

S. 2614 covers "Umbrellas, each having an arc greater than 165 cm with a printed

or imprinted canopy" (provided for in Harmonized Tariff Schedule subheading 6601.99.00). The most favored nation tariff rate is 8.2 percent.

5. Does your company manufacture umbrellas of this type or other competing umbrellas in the United States?**yes**

6. Do you know of any companies that manufacture umbrellas of this type or other competing umbrellas in the United States? If so, please identify the companies so we can contact them to determine whether or not the companies oppose this legislation.**no**

7. Would your company benefit from this legislation?**yes**

8. Does your company oppose the legislation?**no** If so, please submit brief explanation for your opposition.

S. 2617 covers "Umbrellas, each having an arc at least 96 cm but no greater than 120 cm, with a straight handle and a canopy no printed or imprinted canopy" (provided for in Harmonized Tariff Schedule subheading 6601.99.00). The most favored nation tariff rate is 8.2 percent.

9. Does your company manufacture umbrellas of this type or other competing umbrellas in the United States?**yes**

10. Do you know of any companies that manufacture umbrellas of this type or other competing umbrellas in the United States?**no** If so, please identify the companies so we can contact them to determine whether or not the companies oppose this legislation.

11. Would your company benefit from this legislation?**yes**

12. Does your company oppose the legislation?**no** If so, please submit a brief explanation for your opposition.

Again, please submit your response to these twelve questions by email to Ralph.watkins@usitc.gov no later than COB Friday February 5.

Thank you.

Ralph J. Watkins

Senior International Trade Analyst

Advanced Technology and Machinery Division

Office of Industries

U.S. International Trade Commission

500 E Street, SW

Washington, DC 20436

Phone: 202-205-3492

Cell: 301-785-9374

e-mail: watkins@usitc.gov

111TH CONGRESS
1ST SESSION

S. 2613

To suspend temporarily the duty on certain golf umbrellas.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2009

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

A BILL

To suspend temporarily the duty on certain 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 HAVING AN ARC GREAT-**
4 **ER THAN 152 CM.**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of
6 the Harmonized Tariff Schedule of the United States is
7 amended by inserting in numerical sequence the following
8 new heading:

“	9902.66.01	Umbrellas, each having an are greater than 152 cm but no greater than 165 cm (pro- vided for in subheading 6601.99.00)	Free	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 goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.

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