



## MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

### I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. 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/).
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

Kitchen forks, spoons, spatulas, turners and scrapers, the foregoing entirely of bamboo (provided for in subheading 4419.00.40 or 4419.00.80)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
- Different (see Technical Comments section)

**III. Other product information, including uses/applications and source(s) of imports**

The subject products are kitchen utensils wholly made of bamboo and are used for cooking and/or serving. Because they are made of bamboo, these products are almost always made overseas in Asian countries with indigenous bamboo supply. The primary sources of imports are China and Vietnam.

**IV. Estimated effect on customs revenue**

Subject product HTS subheading(s) 4419.00.40 and 4419.00.80 [see continuation]

Item	2013	2014	2015	2016	2017
Col.1-general rate of duty (%) or percentage point reduction	4.8	4.8	4.8	4.8	4.8
Estimated value of <i>dutiable</i> imports (\$)	2,700,000	2,700,000	2,700,000	2,700,000	2,700,000
Customs revenue loss (\$)	129,600	129,600	129,600	129,600	129,600

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
- Provided by industry sources
- Industry information
- Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
- This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%)  Temporary rate (%)  Percentage point reduction (%)

**V. Technical comments**

The article description has been modified to eliminate the actual use requirement from the bill as drafted, to eliminate the post-entry verification that the original description would have required.

**VI. Continuation**

Estimated effect on customs revenue - continued:

The duty rate used in the data table of Section IV is a weighted average of the duty rates shown below with the estimated Customs revenue loss for each HTS subheading.

HTS No. 4419.00.40 (5.3%)

2013 - \$107,887

2014 - \$107,887

2015 - \$107,887

2016 - \$107,887

2017 - \$107,887

HTS No. 4419.00.80 (3.2%)

2013 - \$21,713

2014 - \$21,713

2015 - \$21,713

2016 - \$21,713

2017 - \$21,713

## VII. Contacts with domestic firms/organizations

	#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
	1	Target Corporation (Interested entity) Marguerite Trossevin	202-251-6170	No	No	No
	2	Bed Bath & Beyond Jeff Macak	908-855-4227	No	No	No
	3	Dollar Tree Dean Jones	757-321-5000	No	No	No
	4	IKEA Laurie Everill	609-261-1208	No	No	No
	5	Michaels Richard Markovich	972-409-7582	No	No	No
	6	Sears Jane Pilsbury	847- 286-6931	No	No	No

112TH CONGRESS  
2D SESSION

# H. R. 5608

To suspend temporarily the rate of duty on certain bamboo kitchen devices.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2012

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

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## A BILL

To suspend temporarily the rate of duty on certain bamboo  
kitchen devices.

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 BAMBOO KITCHEN DEVICES.**

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	Forks, spoons, spatulas, turners and scrapers de- signed for use with stovetop cookwear (pro- vided for in subheading 4419.00.40 or 4419.00.80), the foregoing made entirely of bamboo ...	Free	No change	No change	On or before 12/31/2015	”.
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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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