

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: June 17, 2008]²

Bill No. and sponsor: H.R. 5088 (Mr. Jim Jordan of Ohio).

Proponent name,³ location: Whirlpool Corporation, Benton Harbor, Michigan.

Other bills on product (110th 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)):

Laundry work surfaces, each comprising a molded polyvinyl chloride plastic base with backguard supply tray and having a chemical and scratch-resistant synthetic rubber work mat insert on the top surface, the foregoing designed for placement across the tops of household front-loading clothes washer and dryer pairs to make a single work surface (provided for in subheading 4016.99.05).

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:

The subject product consists of a durable molded rectangular polyvinyl chloride (PVC) plastic base equipped with protective scratch-resistant feet on the bottom, and containing a relatively thin, synthetic rubber work mat insert which covers most of the upper surface. The rubber work mat serves as a durable scratch- and chemical-resistant surface for the folding of clothes and the placement of laundry accessories. The product is also designed as a seamless, protective cover for the top surface of front-end loader washer-dryer combinations, and to prevent items from falling between or behind the adjacent machines. The raised backguard supply tray portion of the molded PVC base also serves as a storage area. A typical model weighs about 40 pounds and is approximately 56 inches wide, 25 inches deep, and 4 inches in height at its highest point in the back. The country of origin for this product is Taiwan.

Estimated effect on customs revenue:

¹ Industry analyst preparing report: Ray Cantrell (202-205-3362); 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 The sponsor/proponent did not identify any additional beneficiaries of this bill.

| HTS subheading: 4016.99.05 | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|
| | 2009 | 2010 | 2011 | 2012 | 2013 |
| Col. 1-General rate of duty | 3.4% | 3.4% | 3.4% | 3.4% | 3.4% |
| Estimated value <i>dutiable</i> imports | \$7,500,000 | \$7,900,000 | \$8,400,000 | \$8,900,000 | \$9,500,000 |
| Customs revenue loss | \$255,000 | \$268,600 | \$285,600 | \$302,600 | \$323,000 |

Source of estimated dutiable import data: Commission and U.S. industry estimates. The HTS subheading covers many other products in addition to that covered by this bill.

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 Corporation (Proponent) Luke M. Harms, 202-639-9420 | 04/21/2008 | No | No | No |
| General Electric Company Sandy Merber, 202-637-4116 Veronica Nosko, 202-637-4000 | 04/25/2008 | No | No | No |
| Best Buy Legal Department, 612-291-1000 | 04/24/2008 | No | No | No |
| LG Electronics, Inc. M. Brouillette, 256-774-4085 | 04/25/2008 | No | No | No |
| Sears Holdings Corporation Douglas T. Moore, 847-286-7455 Misty Redman, 847-286-1535 Paula Zilligen, Email, pzillig@searshc.com | 04/25/2008 | No | No | No |

Technical comments:⁴

The article description of the new heading should be amended with a more accurate description of the product and its chemical composition. The HTS subheading number in that amended description was provided informally by Customs and Border Protection officials. According to Customs, the proper HTS classification is subheading 4016.99.05, a provision for miscellaneous household articles of vulcanized

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.

rubber other than hard rubber, due to this item's distinguishing feature as a work surface of synthetic rubber mat insert.⁵

⁵ USITC staff contacts with National Import Specialists Gary Kalus and Joan Mazzola, New York, NY, April 24-25, 2008. See HTS general rule of interpretation 3.

110TH CONGRESS
2D SESSION

H. R. 5088

To suspend temporarily the duty on certain laundry work surfaces.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2008

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

A BILL

To suspend temporarily the duty on certain laundry work
surfaces.

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 LAUNDRY WORK SURFACES.**

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 | Laundry work surfaces, each constructed of molded plastics, having a rubber mat and backguard supply tray, designed for placement on a clothes washing machine and clothes dryer (provided for in subheading 3924.90.56) | Free | No change | No change | On or before 12/31/2011 | ”. |
|---|------------|---|------|-----------|-----------|-------------------------|----|

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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