

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 8, 2008]²

Bill No. and sponsor: H.R. 5367 (Mr. Gary L. Ackerman of New York).

Proponent name,³ location: Leviton Manufacturing Co., Inc., Little Neck, NY.

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)):

Right angle ground fault circuit interrupters (GFCIs) designed for use in or with duplex electrical receptacles, the foregoing rated at 15 A or higher (provided for in subheading 8536.30.80).

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:

Right angle ground fault circuit interrupters are a type of ground fault circuit interrupter, or GFCI. A GFCI is a safety device used to reduce or prevent electrical shock with ground or ground equipment by interrupting the electrical current loading to a device that is set with a predetermined value. If the value of the ground current exceeds the predetermined value, then the GFCI will automatically turn off the electrical current to the device to prevent electrical shock. Right angle GFCIs typically contain the GFCI circuitry in a plastic enclosure as part of the plug head to an electrical cord. They can be plugged into a receptacle at a right angle to the outlet.

Right angle GFCIs are often used with receptacles that are not themselves protected by GFCIs. GFCIs are most commonly used in areas where there is water. Right angle GFCIs are most commonly used in residential settings for specific appliances such as small portable spas and hot tubs, sewer cleaners, and residential pressure washers. They are also used for smaller tools in industrial facilities. These GFCIs have a rainproof design with a load side wiring chamber and built-in strain relief.

The principal U.S. import sources of this product are China and Mexico.⁴ Dutiable U.S. imports of all products classified in subheading 8536.30.80 (a broader group than is covered by this bill) totaled \$326.1 million in 2007, of which China supplied \$214.5 million and Mexico \$20.6 million.

¹ Industry analyst preparing report: Falan Yinug (202-205-2160); Tariff Affairs contact: Jan Summers (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ Only originating goods of Mexico are eligible for duty-free entry under the North American Free Trade Agreement.

Estimated effect on customs revenue:

HTS subheading: 8536.30.80					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	2.7%	2.7%	2.7%	2.7%	2.7%
Estimated value <i>dutiable</i> imports	\$721,000	\$757,000	\$795,000	\$835,000	\$878,000
Customs revenue loss	\$19,467	\$20,439	\$21,465	\$22,545	\$23,706

Source of estimated dutiable import data: Industry and Commission estimates.

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)		
Leviton Manufacturing Co., Inc. (Proponent) Christopher Schodowski, 619-205-8600	04/29/2008	No	No	No
Cooper Industries Terry Helz, 713-209-8408	05/05/2008	No	No	No
Eaton Corp. Barry Doggett, 216-523-4664	05/05/2008	No	No	No
Emerson Electric Co. Robert McDonald, 202-662-8790	05/05/2008	No	No	No
Ericson Manufacturing Paul Kickel, 440-951-8000	05/06/2008	No	No	No
General Electric Sandy Merber, 202-637-4000	05/05/2008	No	No	No
Hitachi America, Ltd. Carl Green, 202-828-9272	05/05/2008	No	No	No
Hubbell, Inc. Richard Davies, 203-799-4230	05/06/2008	No	No	No
Legrand North America Jude Kravitz, Jude.Kravitz@legrandna.com	05/08/2008	No	No	No
Lutron Electronics, Inc. John Woodman, 610-282-3800	05/06/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
National Electrical Manufacturers Assn. (NEMA) John Meakem, 703-841-3243	05/05/2008	No	No	No
Siemens Energy and Automation, Inc. Thomas Varney, 770-751-2000	05/06/2008	No	No	No
Technology Research Corp. Owen Farren, 727-535-0572	05/06/2008	Yes	Yes	Yes

Technical comments:⁵

It is suggested that the proposed article description be modified as shown on page 1 of this report, to be more consistent with normal tariff nomenclature drafting practices, therefore “of 15 amps or more” has been changed to “rated at 15 A or higher.” We defer to Customs and Border Protection officials to determine if the proposed description may present interpretative difficulties; the language may represent industry usage for the subject goods.

⁵ 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.

110TH CONGRESS
2^D SESSION

H. R. 5367

To suspend temporarily the duty on right angle ground fault circuit interrupters.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2008

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

A BILL

To suspend temporarily the duty on right angle ground fault circuit interrupters.

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 RIGHT ANGLE GROUND FAULT CIR-**
4 **CUIT INTERRUPTERS.**

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:

“	9902.85.34	Right angle ground fault circuit interrupters of 15 amps or more (provided for in sub-heading 8536.30.80)	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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