

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: July 22, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5538 (Mr. Devin G. Nunes of California).

**Proponent name,<sup>3</sup> location:** Outdoor Industry Association, Boulder, CO.

**Other bills on product (110<sup>th</sup> Congress only):** H.R. 5539.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

Sleeping bags of man-made fibers, containing 20 percent or more by weight of feathers and/or down, valued over \$40 each (provided for in subheading 9404.30.40).

**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:**

Sleeping bags are warmly lined or padded body-length fabric bags, with zippers or other closures for access, in which one or two persons can sleep, especially when camping. Such goods designed for outdoor use are often waterproof. The bill would cover only sleeping bags of man-made fibers which contain 20 percent or more by weight of feathers and/or down, with a customs value of over \$40 each. The bulk of the subject imports are from China, followed by Taiwan, Hong Kong, and France. Dutiable U.S. imports under HTS subheading 9404.30.40 (a broader category than is covered by this bill) totaled \$10.8 million in 2007, with China accounting for \$10.6 million in shipments.

<sup>1</sup> Industry analyst preparing report: Don Sussman (202-205-3331); Tariff Affairs contact: Jan Summers (202-205-2605).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

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

**Estimated effect on customs revenue:**

<b>HTS subheading: <u>9404.30.40</u></b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	4.7%	4.7%	4.7%	4.7%	4.7%
Estimated value <i>dutiable</i> imports	\$9,500,000	\$9,500,000	\$9,500,000	\$9,500,000	\$9,500,000
Customs revenue loss	\$446,500	\$446,500	\$446,500	\$446,500	\$446,500

Source: Industry 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)		
Outdoor Industry Association Alex Boian, 303-327-3509	06/04/2008	No	No	No
Big Agnes, Inc. Len Zanni, 970-871-1480	05/30/2008	No	No	No
Exxel Outdoors, Inc. Harry Kazazian, 626-962-4130	06/04/2008	No	No	No
Marmot Mountain LLC Randy Verniers, 707-544-4590	06/04/2008	No	No	No
Mountain Hardware James Bottoms, 510-558-2961	06/04/2008	No	No	No
The North Face, Inc. Patrick Fox, 714-889-6133	06/04/2008	No	No	No
Wiggy's Inc. 907-336-1330	05/29/2008	No	No	No

**Technical comments:**<sup>4</sup>

The article description should not use the “%” symbol, because the HTS defines the symbol as meaning “percent ad valorem,” and should be modified slightly as shown on page 1 to be consistent with the permanent tariff description.

---

<sup>4</sup> 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  
2D SESSION

# H. R. 5538

To suspend temporarily the duty on certain sleeping bags.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2008

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

---

## A BILL

To suspend temporarily the duty on certain sleeping bags.

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 SLEEPING BAGS.**

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	Sleeping bags of manmade fiber, containing 20% or more by weight of feathers and or down, valued over \$40 (provided for in subheading 9404.30.40) .....	Free	No change	No change	On or before 12/31/2011	”.
---	------------	--	------	-----------	-----------	-------------------------	----

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.

○