

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. 5365 (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)):

Ground fault circuit interrupters (GFCIs) designed for use in or with duplex electrical receptacles (other than right angle GFCIs designed for use in or with such receptacles), the foregoing rated over 15 A (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:

Ground fault circuit interrupters and ground fault circuit interrupter electrical power outlets rated greater than 15 amperes (A) 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.

GFCIs are most commonly used in areas where there is water. Plug-in GFCI devices rated at more than 15 A fit into standard electrical outlets and are most commonly used in commercial buildings such as health care facilities (where codes may mandate them for all receptacles) or for fixed equipment within wet locations or areas. They are also used in mobile home parks, for additional connection of electrical equipment located outside the home, and in marinas and boatyards. A GFCI electrical power outlet is commonly used in various residential applications—namely, for swimming pool equipment and lighting; in kitchens, bathrooms, or wet bars; and in workshops or garages, where a higher amperage is required. Such a GFCI is part of the power outlet wired into the electrical system and provides additional protection to equipment.

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.

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.

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	\$19,373,000	\$20,036,000	\$20,726,000	\$21,444,000	\$22,192,000
Customs revenue loss	\$523,071	\$540,972	\$559,602	\$578,988	\$599,184

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	Yes	Yes
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

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

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/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
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

The proposed article description should be amended as shown on page 1, to be more consistent with normal tariff nomenclature drafting practices. 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
2D SESSION

H. R. 5365

To suspend temporarily the duty on ground fault circuit interrupter receptacles of greater than 15 amps.

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 ground fault circuit interrupter receptacles of greater than 15 amps.

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 GROUND FAULT CIRCUIT INTER-**
4 **RUPTER RECEPTACLES OF GREATER THAN 15**
5 **AMPS.**

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

“	9902.85.36	Ground fault circuit inter- rupter receptacles of greater than 15 amps (provided for in subheading 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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