

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: September 27, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 3290 (Mr. George Allen of Virginia).

**Proponent name, location:** Hamilton Beach/Proctor-Silex, Glen Allen, VA.

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

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

Electrothermic toaster ovens, each incorporating a single-slot toaster opening on top of the oven (provided for in subheading 8516.72.00).

**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:**

A toaster oven is a kitchen appliance that is very similar to an oven but is much smaller in size. The subject toaster oven is made of metal, has a single toast slot on top and a crumb tray at the bottom, and is designed to sit on a table or counter top. The product's adjustable thermostat, temperature control lever, and cooking rack are characteristics found in a traditional oven. This toaster oven also contains elements of a traditional toaster. Bread is loaded onto a drop-down chassis that is lowered by a slide lever into the toasting cavity. Because this product uses a traditional toasting chassis to toast bread while also having a chamber for heating and baking, it is a combination article in function and in tariff classification. The principal source of imports of toaster ovens is China.

<sup>1</sup> Industry analyst preparing report: Ruben Mata (202-205-3403); 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).

**Estimated effect on customs revenue:**

<b>HTS subheading: 8516.72.00</b>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	5.3%	5.3%	5.3%	5.3%	5.3%
Estimated value <i>dutiable</i> imports	\$10,168,000	\$11,568,000	\$11,568,000	\$11,568,000	\$11,568,000
Customs revenue loss	\$538,904	\$613,104	\$613,104	\$613,104	\$613,104

Source of estimated dutiable import data: Official U.S. Government statistics and 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)		
Hamilton Beach/Proctor-Silex (Proponent) Tripp Dillard, 804-418-7759	08/09/2006	No	No	No
Applica, Inc. Harry D. Schulman, 888-677-7251	08/17/2006	No	No	No
Back to Basics Co. Mark Beesley, 801-523-6600	08/17/2006	No	Yes	Yes
Conair Corp. Leandro P. Rizzuto, 203-975-4600	08/11/2006	No	No	No
Jarden Consumer Solutions Rocky Rockingham, 561-912-4371	08/21/2006	No	No	No
National Presto Industries MaryJo Cohen, 715-839-2121	08/14/2006	No	Yes	Yes
Salton, Inc. Gary Nash, 866-373-5866	08/07/2006	No	No	No
Select Brands Eric Endres, 913-663-4500	08/09/2006	No	No	No
West Bend Housewares Craig Radke, 262-334-6949	08/09/2006	No	No	No

**Technical comments:**<sup>3</sup>

It is suggested that the article description be modified as shown on page 1. We note that, in order to reduce the estimated customs revenue loss below \$500,000, the proposed heading's general duty rate would need to be approximately 4.3 percent ad valorem, rather than free.

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<sup>3</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.

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3290

To suspend temporarily the duty on toaster ovens with single-slot traditional toaster opening on top of oven.

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IN THE SENATE OF THE UNITED STATES

MAY 26, 2006

Mr. ALLEN introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on toaster ovens with single-slot traditional toaster opening on top of oven.

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. TOASTER OVENS WITH SINGLE-SLOT TRADI-**  
4 **TIONAL TOASTER OPENING ON TOP OF OVEN.**

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:

“	9902.85.19	Toaster ovens incorporating single-slot traditional toaster opening on top of oven (provided for in subheading 8516.72.00)	Free	No change	No change	On or before 12/31/2009	”.
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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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