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WFCA Led Effort Restores Duty-Free Status for Bamboo

Importers, Retailers, Consumers Reap Rewards of Tariff Repeal

Anaheim, CA – April 11, 2008 – Chris Davis, President & Chief Executive Officer of the World Floor Covering Association (WFCA), announced today that after lengthy DC-based regulatory work and appeals, the association has led the way to repealing an onerous and costly tariff on imported horizontal bamboo flooring. Steps are also underway to reinstate duty-free treatment on vertical bamboo flooring.

The WFCA's Washington, DC-based legislative counsel, Steptoe & Johnson had been monitoring the situation regarding changes in the U.S. Tariff for bamboo flooring products since February 2007 when duties were imposed on all imported bamboo. "This is exactly the type of aggressive representation the flooring industry can expect from the WFCA." Davis said. "This time the issue was bamboo, but it could easily have been some other flooring material. The tariff was inappropriately applied and it impacted all the way through the distribution chain down to the consumer. Fortunately, the WFCA has the financial resources, mandate and talent to take on these types of issues." Davis commended several importers of bamboo who helped by providing input and technical assistance to the WFCA's legal team, including executives of Teragren, U.S. Floors and Wellmade.

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The change became official on April 2, 2008 via a published Presidential proclamation that included a revision to the Harmonized Tariff Schedule of the United States (“HTSUS”). The proclamation specifies duty-free treatment and new tariff classification numbers for imported bamboo flooring products. Once these changes become fully effective, companies once again will be able to import new shipments of bamboo flooring products without paying duties at the US border. The proclamation is available for public viewing at: <http://edocket.access.gpo.gov/2008/pdf/08-1091.pdf>.

To facilitate the process for members, WFCAs attorneys have suggested that bamboo manufacturers may wish to temporarily suspend imports until their customs brokers advise that the US Customs computer system has been updated.

Once the tariff revisions are fully implemented, affected companies will be able to obtain a refund – called a Customs Protest - of the duties on past shipments made since February 3, 2007 through one of two suggested ways: (1) requesting an extension of liquidation to allow Customs to liquidate the entries later without duties, or (2) filing a Customs protest after the entries have liquidated with duties. It is recommended that importers collect a list of their bamboo flooring entries made since 2/07 on duties paid. The protest form can be found at Customs’ website at: <https://forms.customs.gov/customsrf/getformharness.asp?formName=cf-19-form.xft>.

Timing will be very important for affected companies because protests must be filed within 180 days of the liquidation date. For any entry that is not covered by a protest filed at the port of entry and received at that port within 180 days of the liquidation date for that entry, the opportunity for refund on that entry may be lost.

Any importers of bamboo flooring that have questions or would like further assistance may contact Greg McCue at Steptoe & Johnson at 202-429-6421 or gmccue@steptoe.com.

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The WFCA, official sponsor of Surfaces, is the floor covering industry's largest advocacy organization representing floor covering retailers, contractors and allied service providers throughout North America.

The association is a recognized leader in marketing research and industry certification programs and operates the premier consumer flooring website, wfca.org, providing unbiased information about every type of floor covering and connecting customers to member retail stores. The WFCA also influences public policy affecting the floor covering industry and consumers. For more information about the WFCA, visit WWW.WFCA.ORG and WWW.WFCA-PRO.ORG.

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