

Miscellaneous Tariff Bill Petition 259

Great River Granite Company, DBA Weber Memorials, St. Cloud, MN, has petitioned the U.S. International Trade Commission (USITC) for temporary suspension of duties on “granite blocks and other building materials intended to be used as monumental or other building stones.”

The issue appears to be that while stone *geologically defined* as granite enters the U.S. duty free, a tariff of 3% is imposed on stones *commercially defined* and legally sold as granite (basalt, gabbro, diorite, diabase, syenite, gneiss, etc.).

As part of the analysis of this petition, the USITC is trying to determine if there are U.S. companies that:

- produce the product listed above or a product that is like or directly competitive with the product listed above, and/or
- import the product listed above.

If your company is a producer or importer as identified above, you are asked to contact the USITC as soon as possible. **Also, if your company wishes to object to the petition for temporary duty suspension, you may file a comment for the record during the USITC public comment period.** A public comment period will open no later than January 11, 2017, and comments will be accepted for 45 days. One may submit comments through the MTBPS (<http://mtbps.usitc.gov>).

Background

The Harmonized Tariff Schedule (HTS) classifies a good based on its name, use, and/or the material used in its construction and assigns it an up to ten-digit classification code number. There are over 17,000 unique classification code numbers.

The *eight*-digit subheading describing the subject of this petition into the customs territory of the United States is 2516.90.00, “other monumental or building stone.”

According to the U.S. Customs and Border Protection publication, “[What Every Member of the Trade Community Should Know About: Granite](#),” HTS 2516.90.00 includes basalt, gabbro, diorite, diabase, syenite, gneiss, etc. These varieties are legally sold in the U.S. as granite. However, Customs classifies stone based on its mineralogical properties and physical form at the time of importation, not its commercial name or definition. Therefore, these stones may **not** be classified as crude or roughly trimmed **granite** in subheading 2516.11.00, since they are *geologically distinct* from granite. Subheading 2516.11.00, “granite, crude or roughly trimmed,” enters the U.S. duty free.