



July 28, 2006

Senator Charles Grassley  
Chairman  
Senate Finance Committee  
219 Dirksen Senate Office Building  
Washington, DC, 20510

Senator Max Baucus  
Ranking Member  
Senate Finance Committee  
219 Dirksen Senate Office Building  
Washington, DC, 20510

Dear Chairman Grassley and Ranking Member Baucus:

I am writing on behalf of Callaway Golf Company, owner of Callaway Golf, Odyssey, Top-Flite and Ben Hogan branded products, in opposition to S.2574, S.2575, S.2576, and S.2578, all of which are being considered for inclusion in the omnibus miscellaneous tariff bill that will be considered by the Finance Committee. Although not readily apparent these bills give one particular competitor—Acushnet Company—a significant and unfair competitive advantage over other importers of the same components used to manufacture drivers and fairway woods. Callaway Golf **opposes** these bills.

Golf club heads imported from outside the United States are entered under tariff item 9506.39.0060, Harmonized Tariff Schedule of the United States, dutiable at 4.9 percent. The bills listed above would create a new classification for certain golf club heads at a zero duty rate. The bills describe the heads that would be subject to the zero duty rate by reference to certain proprietary design features that are used by only one company, Acushnet Company, which sells golf clubs under the Titleist and Cobra brands. Simply put, under the definitions and descriptions of the golf club heads exempted from duty in the proposed legislation, Acushnet would be the **only** golf club company that would qualify for duty free importation. Of course, Acushnet's golf club heads would be incorporated into Titleist and Cobra drivers and fairway woods, and would directly compete with the drivers and fairway woods made by its competitors, including Callaway Golf. There is no good reason to give a competitive advantage to Titleist, a subsidiary of Fortune Brands.

In sum, S.2574, S.2575, S.2576, and S.2578 provide duty free treatment for the benefit of only one company, to the very serious detriment of all other competing US companies that import golf club heads from outside the United States. Callaway Golf strongly opposes the inclusion of these bills in the omnibus miscellaneous tariff bill that will be considered by the Finance Committee. Callaway Golf is also making its objections known to the US International Trade Commission.



Please contact me at (760) 930-5849 if you have questions or would like additional information about Callaway Golf or its products.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Rider".

Michael J. Rider  
Senior Vice President, General Counsel

cc:

Congressman Bill Thomas  
Chairman  
House Ways & Means Committee  
2208 Rayburn House Office Building  
Washington, DC, 20515

Congressman Charles B. Rangel  
Ranking Member  
House Ways & Means Committee  
2354 Rayburn House Office Building  
Washington, DC, 20515

Senator Diane Feinstein  
331 Hart Senate Office Building  
Washington, DC, 20515

Senator Barbara Boxer  
112 Hart Senate Office Building  
Washington, DC, 20515

Congressman Brian P. Bilbray  
2350 Rayburn House Office Building  
Washington, DC, 20515

Senator Gordon Smith  
404 Russell Senate Building  
Washington, DC 20510

Senator Ron Wyden  
230 Dirksen Senate Building  
Washington DC 20510



July 18, 2006

Senator Charles Grassley  
Chairman  
Committee on Finance  
United States Senate  
Washington, DC 20510

Senator Max Baucus  
Ranking Member  
Committee on Finance  
United States Senate  
Washington, DC 20510

RE: Proposal for tariff exemptions for specific golf club heads in the MTB

Dear Chairman Grassley and Senator Baucus:

On behalf of Sporting Goods Manufacturers Association members who produce golf clubs I am writing to strongly oppose inclusion of S.2574, S.2575, S.2576, S.2577 and S.2578 in the Miscellaneous Tariff Bill (MTB) currently under development. If included in the MTB, these bills would result in preferential treatment for one importer of golf club heads thereby placing other importing manufacturers at a competitive disadvantage. An additional concern is the detrimental impact preferential tariff treatment would have on the domestic golf club manufacturing industry.

Under current law imported golf club heads entering the United States are subject to tariffs of 4.9 % under tariff item 9506.39.0060 of the U.S. Harmonized Tariff Schedule. The five (5) referenced bills currently being considered by the Finance Committee for the MTB apply to specific imported golf club head and request elimination of tariffs on specific equipment. Because the language in the bills narrowly targets equipment made by a single company, only club heads produced by that company will qualify for duty free treatment under the proposed legislation.

As the organization that represents numerous golf equipment manufacturers producing equipment both domestically and overseas, SGMA does not understand why Congress would support policies providing one brand with duty free treatment for its products at the expense of other manufacturers of the same product. SGMA believes it is anti-competitive for Congress to interfere in the marketplace by providing one golf club head manufacturer with an economic advantage over its competitors. SGMA and our golf equipment manufacturing members oppose these bills and ask the Finance Committee to reject the proposed exclusionary tariff exemptions on specific golf club heads.

We thank you for consideration of our position.

Sincerely,

Bill Sells  
Director, Government Relations

COPY:

William Thomas  
Chairman  
Committee on Ways & Means  
US House of Representatives  
Washington, DC 20515

Charles Rangel  
Ranking Member  
Committee on Ways & Means  
US House of Representatives  
Washington, DC 20515

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July 20, 2006

Senator Charles Grassley Chairman Committee on Finance United States Senate Washington, DC 20510	Senator Max Baucus Ranking Member Committee on Finance United States Senate Washington, DC 20510
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Dear Chairman Grassley and Senator Baucus:

On behalf of Nike Golf, I am writing to vigorously oppose the inclusion of S.2574, S.2575, S.2576, S.2577 and S.2578 in the Miscellaneous Tariff Bill (MTB) currently being debated. If incorporated in the MTB, these bills will result in placing one importer of golf club heads with privileged treatment, thus placing other importing manufacturers at a clear competitive disadvantage.

Presently all imported golf club heads entering the United States are subject to tariffs of 4.9% under tariff item 9506.39.0060 of the U.S. Harmonized Tariff Schedule. The five (5) referenced bills currently being considered by the Finance Committee for the MTB apply to specific imported golf club heads and request elimination of tariffs on specific equipment. Because the language in the bills narrowly targets equipment made by a single company, only club heads produced by that company will qualify for duty free treatment under the proposed legislation.

Nike is a company that was founded and is an unwavering advocate towards the principles of fair play. This duty exemption would not create a level playing field and is not "par" with the current law. Nike strongly opposes this legislation and urges you to keep fair play in line.

Thank you for consideration in this matter.

Sincerely,

Orson C. Porter  
Deputy Director of Government Affairs  
Nike, Inc.

# ACUSHNET COMPANY

**Joseph J. Nauman**  
Executive Vice President  
Corporate and Legal

**August 15, 2006**

The Honorable Charles Grassley  
Chairman  
Committee on Finance  
United States Senate  
Washington, D.C. 20510

The Honorable Max Baucus  
Ranking Member  
Committee on Finance  
United States Senate  
Washington, D.C. 20510

## **Re: Support of Temporary Duty Suspension for Golf Club Components**

Dear Chairman Grassley and Senator Baucus:

I write to you today in support of five bills (S. 2574, S. 2575, S. 2576, S. 2577 and S. 2578) that suspend, temporarily, the duties on certain golf club components. Acushnet Company is a leading American manufacturer of golf equipment, producing and selling famous brands that include Titleist golf balls and golf clubs, Cobra golf clubs, and FootJoy golf shoes, gloves and accessories. Acushnet, a subsidiary of Fortune Brands, Inc., is headquartered in Fairhaven, Massachusetts, and has manufacturing facilities in Massachusetts and California. Acushnet imports golf club components that are used to assemble and manufacture finished golf clubs here in the United States. There are no U.S. producers of these components.

In your April 21 letter, you requested that interested Senators introduce bills to reduce or eliminate duties on “narrowly defined products” imported into the United States that would “reduce input costs for U.S. businesses and increase the competitiveness of their products.” You identified two key criteria for the bills submitted: (1) they should not cover products produced by a domestic manufacturer (i.e., the bills must be non-controversial), and (2) they should not result in more than \$500,000 in lost revenue per year.

These bills are narrowly crafted to reduce input costs for golf club production in the U.S. and will increase the competitiveness of U.S. produced golf clubs. The bills also meet the two key criteria you identified: (1) there are no U.S. producers of golf club heads, and (2) because the bills are narrowly crafted the relief sought from these bills will result in less than \$500,000 in lost revenue per year. In fact, because these bills will help promote and sustain Acushnet’s golf club production facilities, which employ hundreds of workers in the U.S., the relief realized by the bills will be offset by other tax revenues stemming from these U.S. operations.

Importantly, these bills also promote U.S. production and U.S. jobs because they cure an inverted tariff. Golf club heads that are imported and used to make finished golf clubs are subject to a 4.9 percent duty. The duty on imported finished golf clubs is only 4.4 percent. This “inverted tariff” discourages domestic manufacturing and puts Acushnet and companies like it at a competitive disadvantage in the global marketplace. Indeed, since 2000, importers of finished golf clubs have avoided paying over \$7 million in duties, while companies like Acushnet that produce golf clubs in the U.S. from imported components have been forced to pay over \$18 million in additional duties.<sup>1</sup>

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<sup>1</sup> See Attachment 1.







# ACUSHNET COMPANY

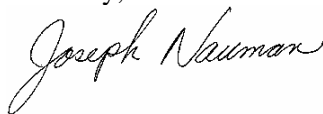
With the cost advantage that importers of finished golf clubs have over U.S. producers, it is no surprise that there has been a dramatic trend towards complete production of finished golf clubs abroad, particularly in China. Based on Commerce Department data, it is estimated that between 2000 and 2006 imports of finished golf clubs have increased by over 530 percent, while imports of club components have increased by less than 20 percent.<sup>2</sup> During this period, there has been a significant increase (30 percent) in the portion of the market held by foreign produced finished golf clubs.<sup>3</sup> Despite the unfair tariff structure and outsourcing trends, Acushnet remains one of the few companies that manufactures all its finished golf clubs in the United States for domestic sales.

By reducing the duty rate on golf club components to a duty rate that is lower than that of finished clubs, these bills represent a small step in leveling the playing field for U.S. manufacturers of golf clubs who seek to compete against importers of finished clubs. The bills ensure that U.S. manufacturing jobs are not lost to cheaper foreign manufacturing. For these reasons, the bills are supported by strong public policy and established trade policy.

Any opposition to these bills is unfounded because there is no domestic production of the subject products. Opposition is expected from companies that import finished clubs. These companies want to continue to enjoy the unfair advantage of an inverted tariff, which has saved them millions of dollars and placed U.S. producers at a disadvantage for years. Acushnet would encourage and support other importers of golf club components, who, like Acushnet, produce clubs in the U.S., to seek similar narrowly crafted relief that meets Congressional criteria, rather than make unfounded objections to the above bills. Acushnet also would support and work with other U.S. golf club producers to permanently cure the inverted tariff, and further promote U.S. golf club production and U.S. jobs.

Acushnet requests your support for these temporary duty suspension bills, which will help Acushnet stay competitive in the global marketplace and will aid the vitality of American manufacturing.

Sincerely,



Joseph Nauman,  
Executive Vice President, Corporate and Legal

Attachments

cc: Senator John F. Kerry  
Senator Edward M. Kennedy

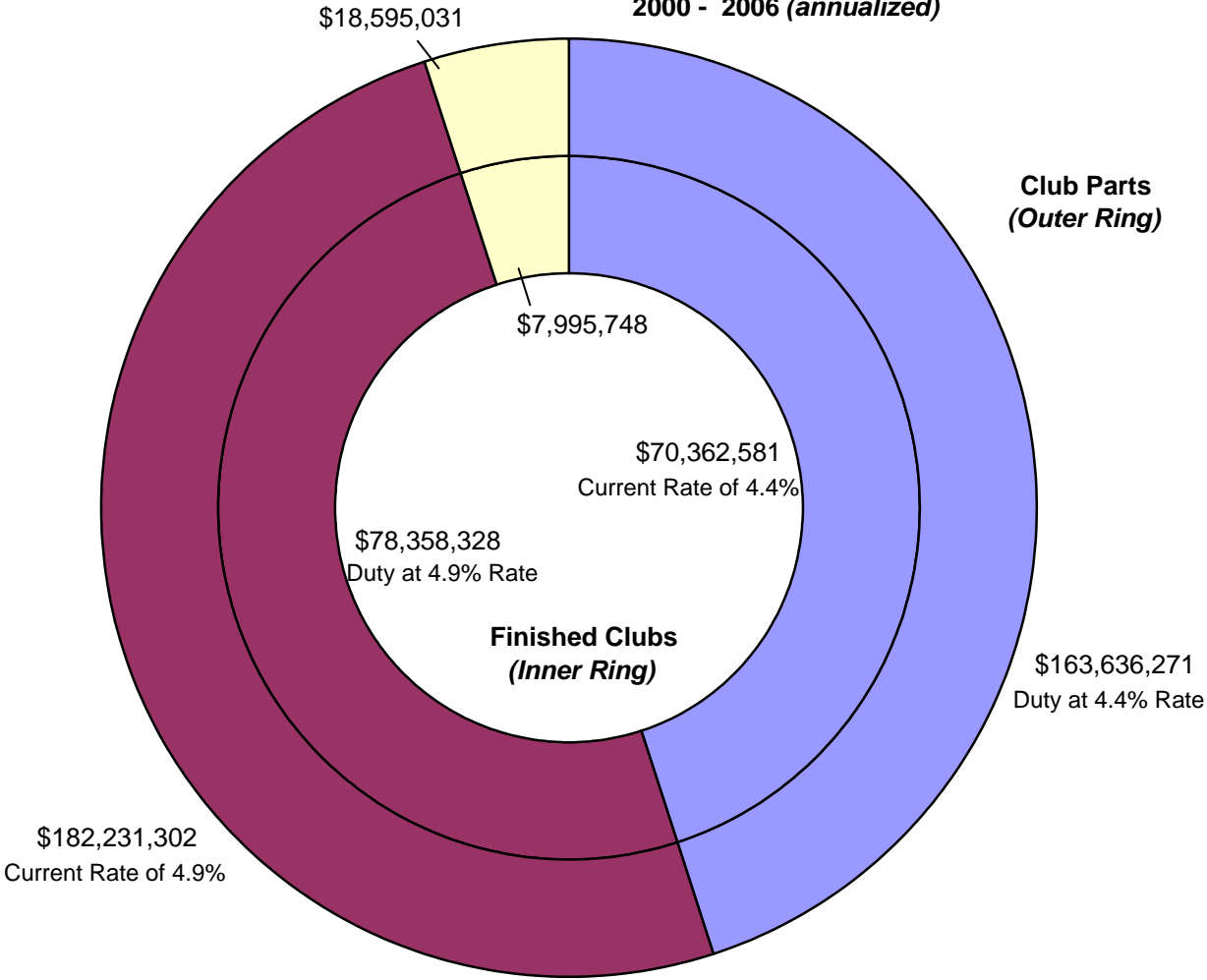
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<sup>2</sup> See Attachment 2.

<sup>3</sup> See Attachment 3.



**Attachment 1  
U.S. Imports of Finished Golf Clubs and Parts  
Comparison of Total Duties Paid  
2000 - 2006 (annualized)**



<span style="color: blue;">■</span> Duty of 4.4%
<span style="color: maroon;">■</span> Duty of 4.9%
<span style="color: yellow;">■</span> Difference

<b>Current Duties Paid</b>
Finished Clubs: 4.4%
Club Parts: 4.9%

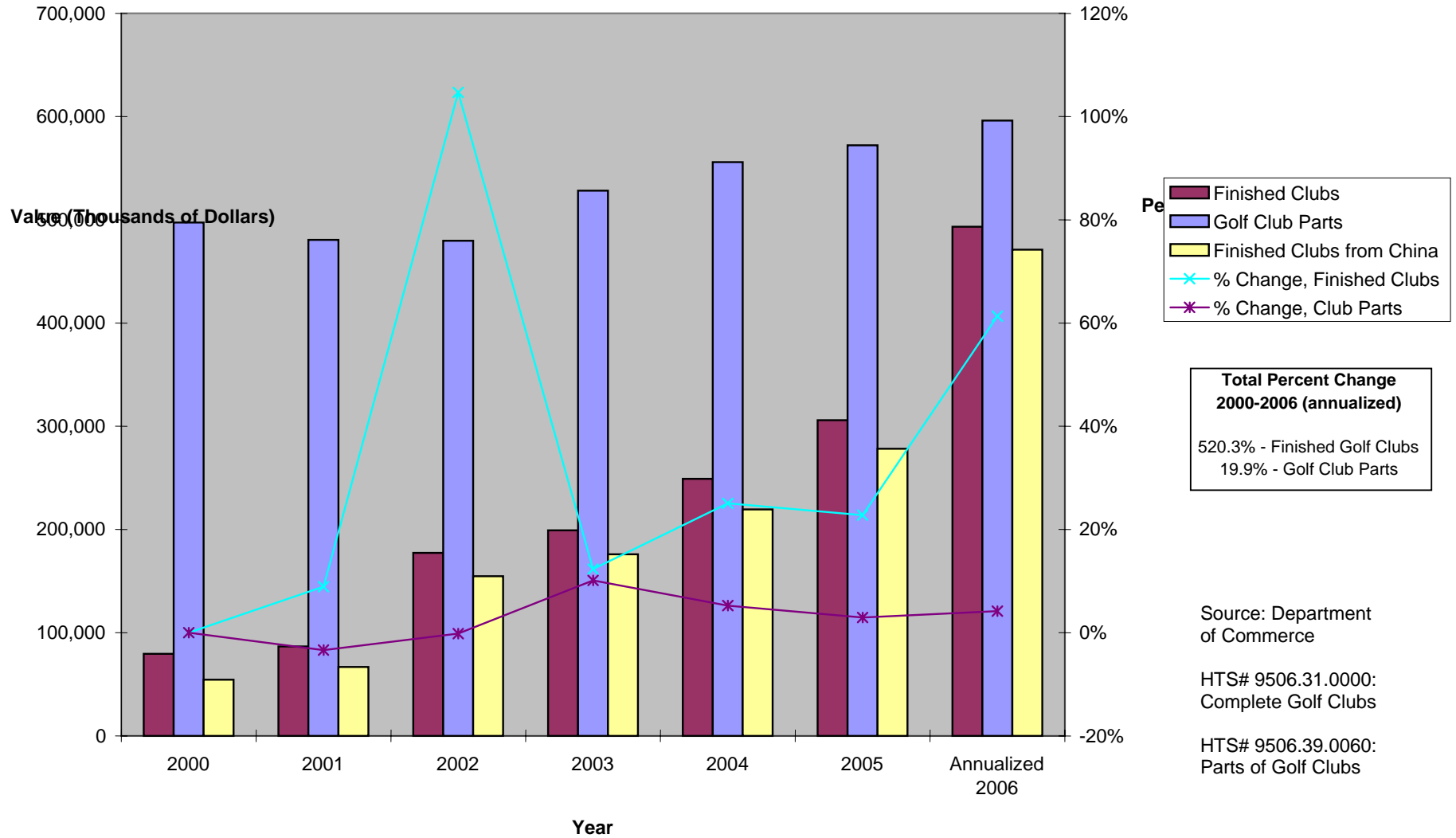
Source: Department of Commerce

HTS# 9506.31.0000:  
Complete Golf Clubs

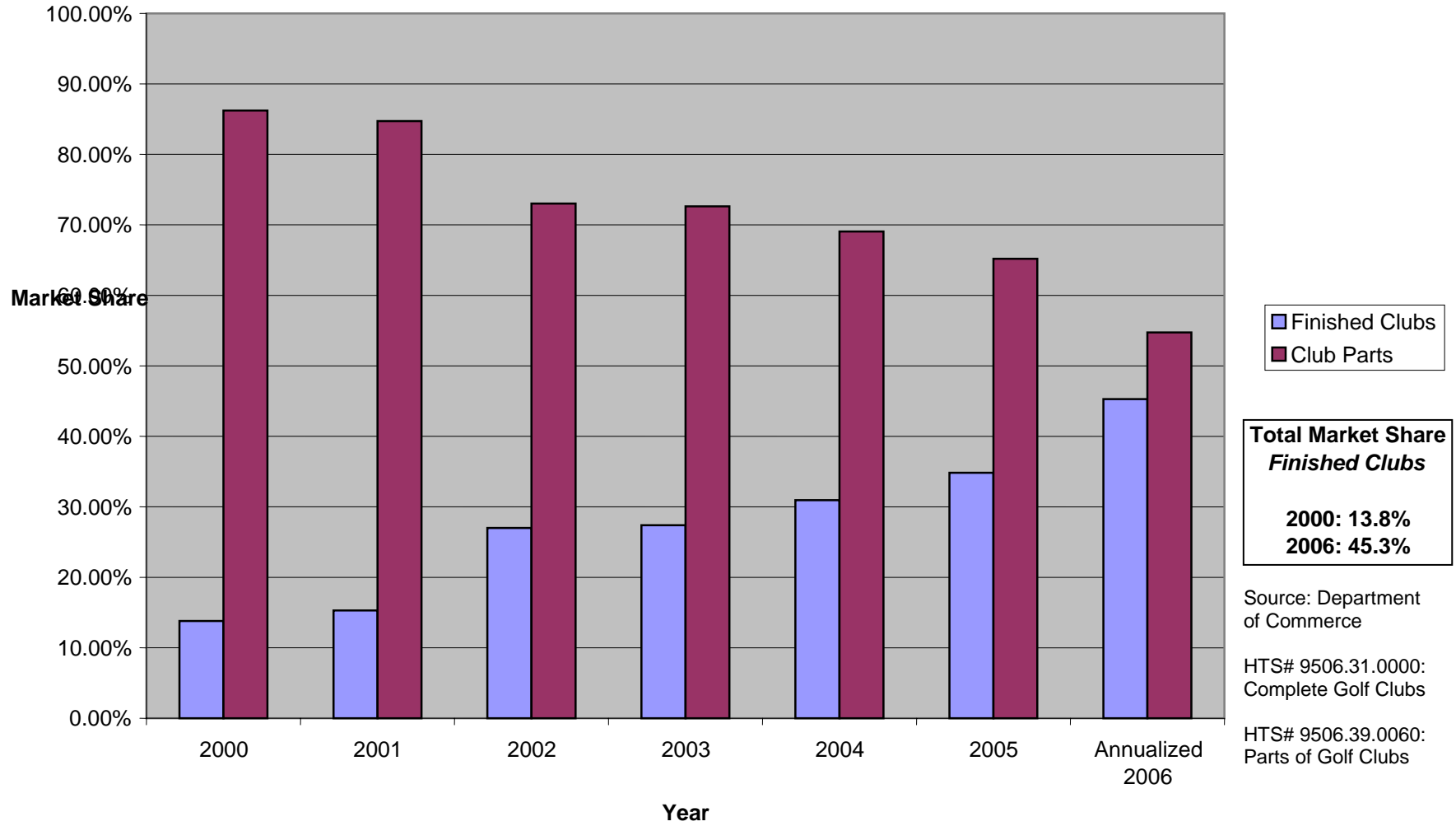
HTS# 9506.39.0060:  
Parts of Golf Clubs



**Attachment 2  
U.S. Imports of Finished Golf Clubs and Parts  
2000 - 2006 (annualized)**



**Attachment 3  
Market Share of Golf Club Imports,  
Finished versus Parts  
2000 - 2006 (annualized)**



July 20, 2006

Senator Charles Grassley  
Chairman  
Senate Finance Committee  
219 Dirksen Senate Office Building  
Washington, DC, 20510

Senator Max Baucus  
Ranking Member  
Senate Finance Committee  
219 Dirksen Senate Office Building  
Washington, DC, 20510

Dear Chairman Grassley and Ranking Member Baucus:

I am writing on behalf of TaylorMade Golf Company, Inc. in opposition to S.2574, S.2575, S.2576, and S.2578, which are being considered for inclusion in the omnibus miscellaneous tariff bill that will be considered by the Finance Committee. While TaylorMade supports the concept of trade expansion, these bills, as proposed, do not expand trade; they do nothing more than grant one particular importer a significant and unfair competitive advantage over all other importers of the same product.

Currently all golf club heads are entered under tariff item 9506.39.0060, Harmonized Tariff Schedule of the United States, dutiable at 4.9 percent. The aforementioned bills would create a new classification for certain golf club heads of one company and grant that new classification a zero duty rate. The bills describe the heads that would be subject to the zero duty rate by reference to certain patented and proprietary design features of one company, Acushnet Company (who sell golf clubs under the Titleist and Cobra brands). Accordingly, Acushnet would be the **only** one which would qualify for duty free treatment under the proposed legislation.

The bills at issue define which heads fall within its scope by reference to a “rhombus face” and certain head specifications. As you know, a key area of competition among golf club manufacturers is the composition, design and manufacturing technique of golf club heads, and as a result golf club heads are frequently subject to patent protection. In the case of these bills, we have no doubt that the insertion of the “rhombus face” and certain head specifications as part of the tariff provision was specifically intended to give Acushnet an unfair competitive advantage. Acushnet's golf club heads would be incorporated into driver and fairway clubs and would directly compete with the drivers and fairway woods made by its competitors, such as TaylorMade.

The goals of S.2574, S.2575, S.2576, and S.2578 are to provide duty free treatment for specific imported heads in a manner which would benefit only one company, to the

very serious detriment of all competing US companies. TaylorMade strongly opposes the inclusion of these bills in the omnibus miscellaneous tariff bill that will be considered by the Finance Committee. TaylorMade has also made its objections known to the US International Trade Commission through a letter dated May 22, 2006. Please contact me at (760) 918-6234 if you have questions or would like additional information.

Sincerely,

William S. Reimus  
Senior Vice President and General Counsel

cc:

Congressman Bill Thomas  
Chairman  
House Ways & Means Committee  
2208 Rayburn House Office Building  
Washington, DC, 20515

Congressman Charles B. Rangel  
Ranking Member  
House Ways & Means Committee  
2354 Rayburn House Office Building  
Washington, DC, 20515

Senator Diane Feinstein  
331 Hart Senate Office Building  
Washington, DC, 20515

Senator Barbara Boxer  
112 Hart Senate Office Building  
Washington, DC, 20515

Congressman Brian P. Bilbray  
2350 Rayburn House Office Building  
Washington, DC, 20515

Senator Gordon Smith  
404 Russell Senate Building  
Washington, DC 20510

Senator Ron Wyden  
230 Dirksen Senate Building  
Washington DC 20510

August 9, 2006



Senator Charles Grassley  
Chairman  
Senate Finance Committee  
219 Dirksen Senate Office Bldg.  
Washington, DC 20510

Senator Max Baucus      5601 Skylab Rd.  
Ranking Member      Huntington Beach, CA 92647  
Senate Finance Committee      t.714.889.1300  
219 Dirksen Senate Office Bldg.      f.714.889.5891  
Washington, DC 20510      clevelandgolf.com

**RE: S.2574; S2575; S.2576; and S.2578**

Dear Chairman Grassley and Ranking Member Baucus:

At the present time, the four aforementioned bills are being considered by the Finance Committee to amend Subchapter 2 of Chapter 99 of the Harmonized Tariff Schedule of the United States. On behalf of the Roger Cleveland Golf, Inc. (Cleveland Golf), I am bringing to your attention our strong opposition to the proposed amendments. We feel these amendments are being proffered only to benefit one golf manufacturing company to the distinct disadvantage of all others and creating unfair competition among every other importer of the same product.

Golf club heads now enter under tariff item 9506.39.0060 of the Harmonized Tariff Schedule of the United States. They are dutiable at 4.9%. The bills mentioned above would create a loophole for one company and one company only. This company would then be subject to a zero duty rate due to certain patents that they now own. The only company these amendments would benefit would be the Acushnet Company (who is the parent company of both Titleist and Cobra).

If you look at these bills closely, they refer to a "rhombus face," "an aluminum hosel insert and a plasma welded face plate," and fairway heads of stainless steel with a "sole weight screw system." The assertion of these specifications as part of these amendments was only intended to give Acushnet an unfair advantage in the market place. The driver and fairway golf heads of Cleveland Golf which directly compete with the drivers and fairway woods made by Acushnet, would be at a disadvantage from the outset due to the reduction in cost as to import charges.

If S.2574, S.2575, S.2576, and S.2578 were in fact passed, duty free treatment would be afforded one golf manufacturer and one golf manufacturer only. This would be a serious unfair advantage to all other U.S. golf manufacturers trying to compete for the same business of selling golf equipment.



NEVER COMPROMISE



Cleveland Golf strongly opposes the inclusion of these bills in the omnibus miscellaneous tariff bill that will be considered by the Finance Committee.

Very truly yours,

ROGER CLEVELAND GOLF COMPANY, INC.

By: 

Name: Donald J. Reino

Title : Vice President/Legal Operations

DJR/rmb

cc: Congressman Bill Thomas  
Chairman  
House Ways & Means Committee  
2208 Rayburn House Office Bldg.  
Washington, DC 20515

Congressman Charles B. Rangel  
Ranking Member  
House Ways & Means Committee  
2354 Rayburn House Office Bldg.  
Washington, DC 20515

Senator Diane Feinstein  
331 Hart Senate Office Bldg.  
Washington, DC 20515

Senator Barbara Boxer  
112 Hart Senate Office Building  
Washington, DC 20515

Congressman Brian P. Bilbray  
2350 Rayburn House Office Bldg.  
Washington, DC 20515

Senator Gordon Smith  
404 Russell Senate Bldg.  
Washington, DC 20510

Senator Ron Wyden  
230 Dirksen Senate Bldg.  
Washington, DC 20510

May 22, 2006

Via Facsimile No. 202-228-1703 and First Class Mail

Ms. Claudia Bridgeford  
U.S. Senate Committee on Finance  
219 Dirksen Senate Office Building  
Washington, D.C. 20510-6200

Re: Opposition to S. 2574, S. 2575, S. 2576, S. 2577, S. 2578

Dear Ms. Bridgeford:

We write to express our opposition to Senate bills 2574 - 2578 which would grant one golf company a competitive advantage in the marketplace.

PING is proud to be an American-made golf equipment manufacturer. We have gone to great lengths to continue manufacturing the majority of our golf equipment here in Arizona despite market pressures to move production out of the country. Only when no more foundries could be found in the United States to produce titanium club heads and thin-walled stainless steel fairway woods, did we agonizingly move production of such golf components to China. It is our understanding that the other major golf companies, including domestic public companies like Callaway, Nike and Acushnet (which owns Titleist and Cobra), manufacture the vast majority of their product overseas. PING continues to assemble, grip, customize and support our metal drivers and fairway woods here in Arizona, and continues to cast the majority of our golf equipment products such as our putters and our number one selling G5 irons here as well. Moreover, PING is making significant investments to prepare the way to again manufacture all of our golf club equipment in the United States.

Each of the proposed bills references titanium driver heads or stainless steel fairway wood heads which compete with our successful PING G5 titanium drivers and stainless steel fairway woods, subject to the same tariff provision under Chapter 95 of the Harmonized Tariff Schedule of the United States. Yet the proposed legislation has been written so narrowly such that it appears that only Acushnet in Senator Kerry's state would benefit. These bills are directly contrary to the goals of the miscellaneous tariff bill. The tariffs are minimal compared to the labor, healthcare, tax and regulatory costs we absorb by producing equipment here. Our laws should encourage manufacturing to stay in the United States, for the building up of this great country. We controvert the proposed tariff suspensions which would give one golf company a competitive advantage on the golf equipment manufacturing playing field.

We appreciate the opportunity to provide comments on this important matter, and would be happy to discuss these concerns with you at your convenience. Thank you for your attention to the trade concerns involving our life passion.

Very truly yours,  
PING



S. Christian Bowen  
Trade Compliance Manager