

Like a Bug in a Rug

By Reg P. Wydeven

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On April 4, 'Rogue One: A Star Wars Story' comes out on DVD. I'll be stopping by the store on the way home from work to pick it up and will be heading down into the basement with my family to watch it.

One of my very favorite things to do is watch movies as a family. It gets pretty chilly in the basement, so for Christmas this year our kids got electric-heated fleece throw blankets. My wife got one last year. I curl up with my 'Star Wars' comforter that my folks got for me when I was kid.

The only down side of cuddling under a blanket is having to stick your arm out into the cold air to work the remote control, take a drink of your soda or grab a handful of potato chips. Thanks to Gary Clegg and his mom, however, that problem was solved.

While a freshman at the University of Maine in 1997, Clegg would get cold in his dorm room watching TV. Using a sleeping bag and his mom's sewing skills, Clegg created a blanket with sleeves he dubbed the Slanket. Like a bigger, thicker and warmer hospital robe made of fleece, Slankets open in the back. Clegg sold \$7 million worth of them in 2009.

In the fall of 2008, Slanket rival Snuggie introduced its wearable blanket. Thanks to their cheesy commercials and endorsements and/or mocks by celebrities such as Jimmy Fallon, Ellen DeGeneres and Oprah Winfrey, Snuggie sold over 4 million units in the first three months they were on the market. The sales resulted in almost \$40 million in revenue.

Wearable blankets may be cheesy, but they're a hot commodity that make a lot of money. And anything that makes a lot of money generates a lot of taxes. That's why the federal government considered them apparel and not a blanket.

The U.S. imposes a tariff of 14.9% on imported priestly robes or vestments, while imported blankets are only subject to a duty of 8.5%. When U.S. Customs and Border Protection classified Snuggies as garments, Allstar Marketing Group, which imports and sells Snuggies, rolled up their gigantic sleeves and sued the federal government.

Allstar argued that Snuggies should be taxed as blankets, not clothing. The company claims that it markets Snuggies as "The Blanket with Sleeves!" However, because Snuggies have wide-armed sleeves and flow loosely around the body, the U.S. Justice Department compared them to priestly vestments or scholastic robes. Judge Mark Barnett of the Court of International Trade claimed that unlike robes, Snuggies open in the back, and unlike ecclesiastical garments, they don't have closures.

Judge Barnett agreed that Snuggies are promoted like a blanket because their ads depict consumers "in the types of situations one might use a blanket; for example, while seated or reclining on a couch or bed, or outside cheering a sports team." Barnett also held that having sleeves does not automatically turn Snuggies into clothes, claiming the sleeves simply allow the Snuggie "to remain in place and keep the user warm while allowing the user to engage in certain activities requiring the use of their hands."

So if your priest or minister was wearing a Snuggie at church this morning, they're definitely trying to save on tariffs.