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# Obama Couldn't Wait: His New Christmas Tree Tax

David S. Addington

November 8, 2011 at 6:15 pm

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President Obama's Agriculture Department today announced that it will impose a new 15-cent charge on all fresh Christmas trees—the Christmas Tree Tax—to support a new Federal program to improve the image and marketing of Christmas trees.

In the Federal Register of November 8, 2011, Acting Administrator of Agricultural Marketing David R. Shipman announced that the Secretary of Agriculture will appoint a Christmas Tree Promotion Board. The purpose of the Board is to run a “program of promotion, research, evaluation, and information designed to strengthen the Christmas tree industry’s position in the marketplace; maintain and expend existing markets for Christmas trees; and to carry out programs, plans, and projects designed to provide maximum benefits to the Christmas tree industry” (7 CFR 1214.46(n)). And the program of “information” is to include efforts to “enhance the image of Christmas trees and the Christmas tree industry in the United States” (7 CFR 1214.10).

To pay for the new Federal Christmas tree image improvement and marketing program, the Department of Agriculture imposed a 15-cent fee on all sales of fresh Christmas trees by sellers of more than 500 trees per year (7 CFR 1214.52). And, of course, the Christmas tree sellers are free to pass along the 15-cent Federal fee to consumers who buy their Christmas trees.

Acting Administrator Shipman had the temerity to say the 15-cent mandatory Christmas tree fee “is not a tax nor does it yield revenue for the Federal government” (76 CFR 69102). The Federal government mandates that the Christmas tree sellers pay the 15-cents per tree, whether they want to or not. The Federal government directs that the revenue generated by the 15-cent fee goes to the Board appointed by the Secretary of Agriculture to carry out the Christmas tree program established by the Secretary of Agriculture. Mr. President, that's a new 15-cent tax to pay for a Federal program to improve the image and marketing of Christmas trees.

Nobody is saying President Obama doesn't have authority to impose his new Christmas Tree Tax — his Administration cites the Commodity Promotion, Research and Information Act of 1996. Just because the Obama Administration has the legal power to impose its Christmas Tree Tax doesn't mean it should do so.

The economy is barely growing and nine percent of the American people have no jobs. Is a new tax on Christmas trees the best President Obama can do?

And, by the way, the American Christmas tree has a great image that doesn't need any help from the government.

*Posted in [Ongoing Priorities](#)*





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By Jake Tapper

Nov 9, 2011 1:52pm

# Obama Administration to Delay New 15-Cent Christmas Tree Tax

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The U.S. Department of Agriculture is going to delay implementation and revisit a proposed **new 15 cent fee** <http://abcnews.go.com/blogs/politics/2011/11/blowback-for-obama-on-christmas-tree-tax/> on fresh-cut Christmas trees, sources tell ABC News. The fee, **requested by the National Christmas Tree Association** [http://www.christmastree.org/11\\_PR7.pdf](http://www.christmastree.org/11_PR7.pdf) in 2009, was first announced in the Federal Registry yesterday and has generated criticism of President Obama from conservative media outlets. The well-trafficked Drudge Report is leading with the story, linking to **a blog by David Addington** <http://abcnews.go.com/blogs/politics/2011/11/blowback-for-obama-on-christmas-tree-tax/>, a former top aide to then-Vice President David Addington, at the conservative Heritage Foundation assailing the president thus: "The economy is barely growing and nine percent of the American people have no jobs. Is a new tax on Christmas trees the best President Obama can do? And, by the way, the American Christmas tree has a great image that doesn't need any help from the government."

The National Christmas Tree Association says the fee would fund a program "designed to benefit the industry and will be funded by the growers" and is "not expected to have any impact on the final price consumers pay for their Christmas tree." According to the Federal Registry, the proposed Christmas Tree Promotion Board, which would be funded by the new fee, would launch a "program of promotion, research, evaluation, and information designed to strengthen the Christmas tree industry's position in the marketplace; maintain and expend existing markets for Christmas trees; and to carry out programs, plans, and projects designed to provide maximum benefits to the Christmas tree industry" and to "enhance the image of Christmas trees and the Christmas tree industry in the United States."



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Political coverage and musings on pop culture from ABC News Senior White House Correspondent Jake Tapper and the ABC News White House team.

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White House spokesman Matt Leirich told ABC News that despite some media coverage, "I can tell you unequivocally that the Obama Administration is not taxing Christmas trees. What's being talked about here is an industry group deciding to impose fees on itself to fund a promotional campaign, similar to how the dairy producers have created the 'Got Milk?' campaign."

Nonetheless, the criticisms have apparently had an impact as the program is now being delayed.

Bah, humbug?

-Jake Tapper

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USER COMMENTS

- This did sound similar to Obama's "business-friendly regulations", where he puts a requirement on businesses that they didn't want to do by themselves.  
POSTED BY: MAYBEE | NOVEMBER 9, 2011, 1:59 PM 1:59 PM
- "The fee, requested by the National Christmas Tree Association in 2009..." I get it now.....votes!  
POSTED BY: NEWCOUNTRYMAN | NOVEMBER 9, 2011, 2:02 PM 2:02 PM
- I guess his heart grew three sizes today.  
POSTED BY: JOE | NOVEMBER 9, 2011, 2:04 PM 2:04 PM
- IF \$0.15 on a Christmas Tree is a real deal breaker things are worse than I had ever imagined. (You can't even get a stamp for that!)  
POSTED BY: SHINOBI | NOVEMBER 9, 2011, 2:04 PM 2:04 PM
- how many of the "Taxes/fees/whatever" invasions of our pocketbook does the government have on us. How can the president unilaterally impose an administrative fee anyway. I thought that was congresses job. Sounds like Stalin to me.  
POSTED BY: JABUSSE | NOVEMBER 9, 2011, 2:07 PM 2:07 PM