



## MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

### I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

**II. Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

Bags (provided for in subheading 4202.92.45) for transporting, storing, or protecting goods of heading 9503 or 9504, imported and sold with such articles therein

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
 Different (see Technical Comments section)

**III. Other product information, including uses/applications and source(s) of imports**

The subject articles are bags, often thematically decorated, such as zippered backpacks or lunchbox-type containers, made of plastics and designed to transport, store, and/or protect the toys or games to which they relate. They are imported with the toys or games and sold together as a retail-ready ensemble. Although the toys and games are free of duty under two chapter 95 headings, the bags reportedly are constructively segregated for tariff purposes and classified under the referenced chapter 42 subheading. China is the primary source of U.S. imports of the subject bags.

The existing heading sets forth a reduced rate of duty on the subject bags, but this bill would suspend that duty altogether.

**IV. Estimated effect on customs revenue**

Table with 6 columns: Subject product HTS subheading(s), Item, 2013, 2014, 2015, 2016, 2017. Rows include Col.1-general rate of duty (%), Estimated value of dutiable imports (\$), and Customs revenue loss (\$).

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
 Provided by industry sources
 Industry information
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) [ ] Temporary rate (%) [ ] Percentage point reduction (%) [ ]

**V. Technical comments**

None

**VI. Continuation**

Interested entity...-- continued:

East Aurora, NY is the headquarters of Fisher-Price, a wholly-owned subsidiary of Mattel, Inc.

## VII. Contacts with domestic firms/organizations

#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	St. Maxens & Company on behalf of Mattel, Inc. (Interested entity) Thomas St. Maxens	202-966-9000	No	No	No
2	Hasbro, Inc. Kathrin Belliveau	401-808-7945	No	No	No
3	Target Toni Dembski-Brandl	612-696-2573	No	No	No
4	Toy Industry Association Rebecca Mond	646-454-5588	No	No	No
5	Travel Goods Association Nate Herman	703-797-9062	No	No	No
6	Wal-Mart Lisa Schimmelpfenning	479-273-8811	No	No	No

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4455

To extend the temporary suspension of duty on certain bags for toys.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 2012

Mr. HIGGINS introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To extend the temporary suspension of duty on certain bags  
for toys.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CERTAIN BAGS FOR TOYS.**

4       (a) IN GENERAL.—Heading 9902.01.78 of the Har-  
5       monized Tariff Schedule of the United States (relating to  
6       certain bags for toys) is amended—

7               (1) by striking “8.9%” in the column 1 general  
8       rate of duty column and inserting “Free”; and

9               (2) by striking the date in the effective period  
10       column and inserting “12/31/2015”.

1       (b) **EFFECTIVE DATE.**—The amendments made by  
2 subsection (a) apply to goods entered, or withdrawn from  
3 warehouse for consumption, on or after the 15th day after  
4 the date of the enactment of this Act.

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