



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/.
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)):

Made-up floor mats of cellular polyethylene, certified by the importer as containing 30 percent or more by weight of recycled polyethylene (PE)/ethylene-vinyl acetate (EVA) resin blends (provided for in subheading 3924.90.10)

(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 products are made-up or finished floor mats used to provide cushioning to persons on them. These mats are not imported in rolls or in the form of tiles, goods which fall into heading 3918. The interested entity has drafted the bill to cover cellular polyethylene mats, although its representative indicates that such mats are not currently manufactured and imported, but production and imports might occur during the period 2013-2015. Any such mats imported would likely be covered by HTS subheading 3924.90 rather than the subheading in the bill as drafted. (Commission staff correspondence with the appropriate National Commodity Specialist, U.S. Customs and Border Protection, July 11, 2012.) The subject mats are imported mainly from Thailand.

IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	3924.90.10				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty or percentage point reduction (%)	3.3	3.3	3.3	3.3	3.3
Estimated value of <i>dutiable</i> imports (\$)	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000
Customs revenue loss (\$)	165,000	198,000	231,000	264,000	297,000

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

The article description set forth above was modified for greater clarity and for purposes of correcting the HTS subheading reference.

VI. Continuation

--

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	The Parallax Group Int'l, LLC (Interested entity) Bruce A. Thrush	949-228-2200	No	No	No
2	3M Greg Walters	202-414-3008	No	No	No
3	3V Andrew Rogers	843-520-5137	No	No	No
4	ACCO Brands Peggy Kennedy	800-222-6462	No	No	No
5	AGC Chemicals Americas Winn Darden	805-583-5917	No	No	No
6	Air Products Richard F. Goodstein	202-639-0840	No	No	No
7	AkzoNobel Polymer Chemicals LLC Matt West	202-639-7729	No	No	No
8	Albaugh Stuart Feldstein	515-964-9444	No	No	No
9	Albemarle Barbara Little	202-223-1848	No	No	No
10	American Chemistry Council Jennifer Killinger	202-249-6619	No	No	No
11	Arkema David Kunz	202-263-3491	No	No	No
12	Ashland Frank Fusiak	973-628-4123	No	No	No
13	Association of Postconsumer Plastic Recyclers Steve Alexander	202-316-3046	No	No	No
14	BASF Richard Salamone	973-245-5793	No	No	No
15	Bayer Steve Johnson	412-777-5616	No	No	No
16	Bollore Steve Brunetti	860-774-7431, x138	No	No	No
17	Cargill Tim Bodine	952-742-6434	No	No	No
18	Celanese Samuel Ramirez	972-443-4689	No	No	No

#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
19	Chemtura Elizabeth J. Thomasino	203-573-2644	No	No	No
20	Clariant Andrew Zamoyski	202-415-9159	No	No	No
21	ColorChem Steven Printz	770-993-5500, x18	No	No	No
22	Command Packaging Albert Halimi	323-260-4800	No	No	No
23	CropLife America Beau Greenwood	202-872-3871	No	No	No
24	Crowell & Moring, LLP Mike Gill	202-508-8843	No	No	No
25	Cyber Acoustics, LLC David Dietz	360-883-0333	No	No	No
26	Daikin America Mark Stokes	845-365-9566	No	No	No
27	DSM Sheetal Bhadekar	973-257-8323	No	No	No
28	Dixie Chemical Mal Johnson	281-291-2659	No	No	No
29	Dow Chemical Co. Lisa Schroeter	202-429-3407	No	No	No
30	Drexel Chemical Stanley Bernard	901-774-4370	No	No	No
31	DuPont Elaine M. Olsen	302-992-2263	No	No	No
32	Dyneon John Scanlon	651-733-1519	No	No	No
33	DyStar L.P. Megan Malone	202-344-4621	No	No	No
34	Eastman Brent Perry	202-347-9547	No	No	No
35	Efficient Global Trade Henry P. Stobenau	215-628-4919	No	No	No
36	Emerald Performance Materials Thomas Dirmyer	330-916-6706	No	No	No
37	Entegris Lynn Shida	978-436-6661	No	No	No

38	Evonik Russell Mait	804-452-5711	No	No	No
39	ExxonMobil Chemical Chad Haughton	281-834-5516	No	No	No
40	FMC Jerry Prout	202-956-5209	No	No	No
41	Fanwood Chemical V. M. (Jim) DeLisi	908-322-8440	No	No	No
42	GE Digital Energy John McNie	727-867-4632	No	No	No
43	Hamilton Beach Brands Tripp Dillard	804-418-7759	No	No	No
44	Hexion Specialty Chemicals Paul W. Langemeier	832-366-2385	No	No	No
45	Hilex Poly Co., LLC Mark T. Daniels	972-921-1338	No	No	No
46	Honeywell Art Simonetti	202-662-2671	No	No	No
47	Huntsman Robert F. Hurley	202-289-9800	No	No	No
48	Incase Dawn De La Fuente	415-694-6599	No	No	No
49	International Business-Govt. Counsellors (IBC) Steve Ziehm	202-872-8181	No	No	No
50	Kemira Rajesh Sharma	678-819-4577	No	No	No
51	LANXESS Jamie B. Schaeffer	412-809-3666	No	No	No
52	Lonza Joe Robinson	201-316-9364	No	No	No
53	Lubrizol Joe Eskra	440-347-5955	No	No	No
54	Milliken Kathi Dutilh	202-775-0084	No	No	No
55	MIRWEC Film Kyle Massey	812-331-7194	No	No	No
56	Monsanto James K. Travis	202-383-2864	No	No	No
57	Nation Ford Chemical Jay Dickson	803-548-3210, x15	No	No	No
58	NatureWorks LLC Marc Verbruggen	952-562-3344	No	No	No

59	Novamont North America Dan Martens	203-744-8801	No	No	No
60	Nufarm Americas Joel Junker	206-621-7878	No	No	No
61	Pergan Marshall LLC Greg Schramm	678-574-7986	No	No	No
62	Powertex Karen Lamberton	518-297-4000	No	No	No
63	PPG Industries Bill Ries	412-434-1717	No	No	No
64	Procter & Gamble Matt Mattingley	202-841-5601	No	No	No
65	Purolite Gary Thundercliffe	484-384-2708	No	No	No
66	Resilient Floor Covering Institute (RFCI) Dean Thompson	706-882-3928	No	No	No
67	Rhodia Jackie Guscott	609-860-3379	No	No	No
68	Royce Associates, ALP Terry Scheirer	201-438-5200	No	No	No
69	SABIC Innovative Plastics Danielle Cannata	202-621-2548	No	No	No
70	SOCMA Robert E. Branand	202-345-2717	No	No	No
71	Sensient Technologies Ken Goldacker	314-658-7363	No	No	No
72	Sigma-Aldrich Jared Fenton	314-286-8326	No	No	No
73	Solutia Kassie Wooton	314-674-3297	No	No	No
74	Solvay Andrew K. Jones	856-251-3412	No	No	No
75	Steinerfilm Stan Cichanowski	413-458-9525	No	No	No
76	Superbag Isaac Bazbaz	713-462-1173	No	No	No
77	Symrise Elizabeth Scharlat	908-429-6821	No	No	No
78	Syngenta Mike Blythe	336-632-2824	No	No	No
79	Syrgis Performance Initiators Douglas Hubbard	507-643-7132	No	No	No

80	Targus Robert Davis	714-575-7575	No	No	No
81	TOPAS Advanced Polymers Timothy Kneale	859-746-6447	No	No	No
82	Toray Plastics (America) Paul Knollmeyer	401-578-9369	No	No	No
83	United Color Manufacturing Tom Nowakowski	215-860-2165	No	No	No
84	United Initiators Bill Clements	800-231-2702	No	No	No
85	Valent Robin Demouth	925-256-2758	No	No	No
86	Zeon Chemicals L.P. David F. Olave	202-730-1960	No	No	No
87	Zoku, LLC Chris Green	201-604-1252	No	No	No

112TH CONGRESS
2D SESSION

S. 2585

To suspend temporarily the duty on floor covering and mats, of over 30% recycled Polyethylene (PE) or Ethylene-Vinyl Acetate (EVA), of the kind used for temporary cushioning for children and adults.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2012

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on floor covering and mats, of over 30% recycled Polyethylene (PE) or Ethylene-Vinyl Acetate (EVA), of the kind used for temporary cushioning for children and adults.

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

1 **SECTION 1. FLOOR COVERING AND MATS, OF OVER 30% RE-**
 2 **CYCLED POLYETHYLENE (PE) OR ETHYLENE-**
 3 **VINYL ACETATE (EVA), OF THE KIND USED**
 4 **FOR TEMPORARY CUSHIONING FOR CHIL-**
 5 **DREN AND ADULTS.**

6 (a) IN GENERAL.—Subchapter II of chapter 99 of
 7 the Harmonized Tariff Schedule of the United States is
 8 amended by inserting in numerical sequence the following
 9 new heading:

“	9902.01.00	Floor covering and mats, of over 30% recycled Polyethylene (PE) or Ethylene-Vinyl Acetate (EVA), of the kind used for temporary cushioning for children and adults (provided for in sub-heading 4016.91.00)	Free	No change	No change	On or before 12/31/2015	”.
---	------------	---	------	-----------	-----------	-------------------------	----

10 (b) EFFECTIVE DATE.—The amendment made by
 11 subsection (a) applies with respect to goods entered, or
 12 withdrawn from warehouse for consumption, on or after
 13 the 15th day after the date of the enactment of this Act.

○