



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)):

Confectionary (including gum) containing synthetic sweetening agents (e.g. saccharin) instead of sugar (provided for in subheading 2106.90.99).

(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 product includes sugar-free candy as well as sugar-free protein bars, gum, breath mints, and other synthetically sweetened confectionary products. The products are imported from Germany, Denmark, Poland and Switzerland.

IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	2106.90.99				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty or percentage point reduction (%)	6.4	6.4	6.4	6.4	6.4
Estimated value of <i>dutiable</i> imports (\$)	12,500,000	12,500,000	12,500,000	12,500,000	12,500,000
Customs revenue loss (\$)	800,000	800,000	800,000	800,000	800,000

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 Commission staff suggests that the correct HTS classification be included in the article description.

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	Niconovum USA (Interested entity) Tommy Payne	336-741-7230	Yes	No	No
	2	Perrigo David Mason	269-686-1723	No	No	No

112TH CONGRESS
2D SESSION

S. 3143

To suspend temporarily the duty on confectionery (including gum) containing synthetic sweetening agents (e.g., saccharin) instead of sugar.

IN THE SENATE OF THE UNITED STATES

MAY 10, 2012

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

A BILL

To suspend temporarily the duty on confectionery (including gum) containing synthetic sweetening agents (e.g., saccharin) instead of sugar.

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. CONFECTIONERY (INCLUDING GUM) CON-**
4 **TAINING SYNTHETIC SWEETENING AGENTS**
5 **(E.G., SACCHARIN) INSTEAD OF SUGAR.**

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	Confectionery (including gum) containing synthetic sweetening agents (e.g., saccharin) instead of sugar	Free	No change	No change	On or before 12/31/2015	”.
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1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) applies with respect to goods entered, or
3 withdrawn from warehouse for consumption, on or after
4 the 15th day after the date of the enactment of this Act.

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