

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress <sup>1</sup>**

[Date approved: October 10, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 3198 (Ms. Patty Murray and Ms. Cantwell of Washington).

**Proponent name, location:** Alliance Mercantile, Inc., Mukilteo, WA.

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

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

Boots constructed by hand of natural rubber, the foregoing with steel toes and incorporating ballistic nylon for cut protection, with self-cleaning lug soles or with "caulked" soles for slip and fall protection (provided for in subheading 6401.10.00).

**Check one:**  Same as that in bill as introduced.  
 Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

Chainsaw resistant boots designed to provide protection and comfort for workers in the logging industry. The boots are constructed of natural rubber and incorporate ballistic nylon into the front of the boot for cut protection and a steel toe for added safety. These boots have either self-cleaning lug soles or soles that are caulked (described as having added "golf spikes") for slip and fall protection, and the boots are CSA and Omega rated for electric shock resistance to 18KV. Malaysia and China were leading suppliers of this footwear.

<sup>1</sup> Industry analyst preparing report: Laura Rodriguez (202-205-3499); Tariff Affairs contact: Jan Summers (202-205-2605).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: 6404.10.00</b>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	37.5%	37.5%	37.5%	37.5%	37.5%
Estimated value <i>dutiable</i> imports	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Customs revenue loss	\$375,000	\$375,000	\$375,000	\$375,000	\$375,000

Source of estimated dutiable import data: Commission estimates based on information provided by industry representatives.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Alliance Mercantile, Inc. (Proponent) Dan Petersen, 425-407-0330	07/26/2006	No	Yes	No
Rubber and Plastic Footwear Mfg Association Mitchell Cooper, 202-331-1848	07/31/2006	No	No	No
American Apparel and Footwear Association Nate Herman, 703-797-9062	07/31/2006	No	No	No
Footwear Distributors and Retailers of America Peter T. Mangione, 202-737-5660	07/31/2006	No	No	No

**Technical comments:<sup>3</sup>**

To be more consistent with normal HTS drafting practices, it is suggested that the proposed article description be modified as shown on page 1 of this report. It would be possible to add to the description that the provision covers only goods rated for the electrical shock figures set forth on page 1 of this report. However, in such case the testing of goods entered under the provision might be needed to see if each shipment complies, and such testing is burdensome and costly. We defer to Customs officials to advise whether it is possible to determine if any particular footwear article is hand-made when it is inspected or even tested.

<sup>3</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

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

# S. 3198

To suspend the duty on certain boots.

---

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

Mrs. MURRAY (for herself and Ms. CANTWELL) introduced the following bill;  
which was read twice and referred to the Committee on Finance

---

## A BILL

To suspend the duty on certain boots.

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. BOOTS.**

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

“	9902.64.01	Boots constructed of hand-made natural rubber, with ballistic nylon, and a steel toe for added safety, the soles of which are either self-cleaning lug, or caulked for slip and fall protection (provided for in subheading 6401.10.00). .....	Free	No change	No change	On or before 12/31/2009	”.
---	------------	--	------	-----------	-----------	----------------------------	----

1       (b) **EFFECTIVE DATE.**—The amendment made by  
2 subsection (a) applies 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.

○