

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: April 23, 2010]²

Bill No. and sponsor: S. 2053 (Mr. Thomas R. Carper of Delaware).

Proponent name,³ location: Textronics, Inc., Wilmington, DE.

Other bills on product (111th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2011.

Retroactive effect: None.

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

Women's sports bras of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor (provided for in subheading 6212.10.90).

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:

The bill covers women's sports bras, generally constructed of a circular knit polyester or nylon stretch fabric, with textile-based electrodes incorporated into the garment or attached to the garment that measure and monitor the wearer's heart rate. The wearer's heart rate data is sent via a transmitter, which is snapped into the garment, to a display unit or monitor (generally worn on the wrist). The subject product is imported primarily from Turkey,⁴ China,⁵ and Sri Lanka.⁵

¹ Industry analyst preparing report: Heidi Colby-Oizumi (202-205-3391); Tariff Affairs contact: Dan Shepherdson (202-205-2598).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor and proponent did not identify any additional beneficiaries of this bill.

⁴ Although Turkey is a designated beneficiary of the Generalized System of Preferences (GSP), the subject product has not been designated as an eligible article for purposes of the GSP.

⁵ Although Sri Lanka is a designated beneficiary of the GSP, the subject product has not been designated as an eligible article for purposes of the GSP.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 6212.10.90:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	16.9%	16.9%	16.9%	16.9%	16.9%
Estimated value <i>dutiable</i> imports ^a	\$90,000	\$180,000	\$270,000	\$360,000	\$360,000
Customs revenue loss ^b	\$15,210	\$30,420	\$45,630	\$60,840	\$60,840

a/ Dutiable import estimates were provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

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?
Textronics, Inc. (Proponent) Qaizar Hassonjee, 302-351-2150	12/17/2009	No	No	No
Adidas Ray Bucheger, 202-783-3333	01/04/2010	No	No	No
American Apparel and Footwear Association Stephen Lamar, 703-797-9041	12/31/2009	No	No	No
McMurray Fabrics, Inc. Doug Knowlton, 910-944-2128	12/31/2009	No	No	No
National Council of Textile Organizations Michael Hubbard, 202-822-8028	12/15/2009	No	No	No
National Textile Association David Trumbull, 617-542-8220	12/31/2009	No	No	No

Technical comments:⁶ None.

⁶ 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.

111TH CONGRESS
1ST SESSION

S. 2053

To suspend temporarily the duty on women's sports bras of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

A BILL

To suspend temporarily the duty on women's sports bras of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor.

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. WOMEN’S SPORTS BRAS OF STRETCH FABRIC**
 2 **WITH TEXTILE OR POLYMER-BASED ELEC-**
 3 **TRODES KNIT INTO OR ATTACHED TO THE**
 4 **FABRIC AND THAT INCORPORATE CONNEC-**
 5 **TORS DESIGNED TO SECURE AN ELECTRONIC**
 6 **TRANSMITTER THAT TRANSMITS PHYSIO-**
 7 **LOGICAL INFORMATION FROM THE ELEC-**
 8 **TRODES TO A COMPATIBLE MONITOR.**

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

“	9902.01.00	Women’s sports bras of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor (provided for subheading 6212.10.90)	Free	No change	No change	On or before 12/31/2011	”.
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13 (b) **EFFECTIVE DATE.**—The amendment made by
 14 subsection (a) applies to goods entered, or withdrawn from
 15 warehouse for consumption, on or after the 15th day after
 16 the date of the enactment of this Act.

