

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 3, 2010]²

Bill No. and sponsor: S. 2327 (Senator John Kerry of Massachusetts et al.).

Proponent name,³ location: Jedwards International, Inc., Quincy, MA.

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)):

Antarctic krill oil, in bulk, not chemically modified, not containing lipids from any other sources (provided for in subheading 3824.90.40).

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 subject product is derived from a marine crustacean, krill, that is harvested by trawling in Antarctic waters and partially processed aboard ship. After further refining on land, Antarctic krill oil is imported from France, Spain, and Norway in bulk. Krill oil is sold as a cardiovascular dietary supplement that is a highly concentrated omega-3 marine oil.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3824.90.40:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	4.6%	4.6%	4.6%	4.6%	4.6%
Estimated value <i>dutiable</i> imports ^a	\$9,000,000	\$9,000,000	\$9,000,000	\$9,000,000	\$9,000,000
Customs revenue loss ^b	\$414,000	\$414,000	\$414,000	\$414,000	\$414,000

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.

¹ Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

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

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

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?
		(Yes/No)		
Jedwards International, Inc. (Proponent) Edward J. Lorio, edward@bulknaturaloils.com	02/02/2010	No	No	No

Technical comments:⁴

None.

⁴ 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. 2327

To suspend temporarily the duty on Antarctic krill oil.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. KERRY (for himself and Mr. KIRK) introduced the following bill; which
was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on Antarctic krill oil.

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. ANTARCTIC KRILL OIL.**

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:

“	9902.01.00	Antarctic krill oil, in bulk, not chemically modified, not containing lipids from any other sources (provided for in subheading 3824.90.40)	Free	No change	No change	On or before 12/31/2011	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

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- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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