

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: January 30, 2006]<sup>2</sup>

**Bill No. and sponsor:** H.R. 3308 (Mr. Mike Ross of Arkansas).

**Proponent name, location:** Wal-Mart Stores, Inc., Bentonville, AR.

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

**Nature of bill:** Temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

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

Erasers of vulcanized rubber other than hard rubber or cellular rubber (provided for in subheading 4016.92.00).

**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:**

The subject item is an article used to remove pencil or pen markings. Erasers have a rubbery consistency and are often white, brown, or pink, but they can be made in any color for novelty purposes. Erasers come in several shapes and sizes, including rectangular blocks, or conical caps that fit on the end of a pencil. China is the largest source of imports.

<sup>1</sup> Industry analyst preparing report: Andrea Boron (202-205-3433); Tariff Affairs contact: Janis Summers (202-205-2605).

<sup>2</sup> 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: 4016.92.00</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	4.2%	4.2%	4.2%	4.2%	4.2%
Estimated value dutiable imports <u>1/</u>	\$13,600,000	\$13,600,000	\$13,600,000	\$13,600,000	\$13,600,000
Customs revenue loss	\$571,200	\$571,200	\$571,200	\$571,200	\$571,200

1/ No data are included on imports now entering free of duty or at reduced duty rates under U.S. free trade agreements or tariff preference programs; such imports may be affected by changes in the general duty rate on the subject goods.

Source of estimated dutiable import data: Official U.S. Government statistics.

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

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
Wal-Mart Stores, Inc. (Proponent) Tres Bailey, 202-737-2806	10/28/2005	No	No	No
Rubber Manufacturers Association (202) 682-4800	11/22/2005	No	No	No
Sanford Corporation (Papermate®) Stewart Graff, (630) 481-1666	11/17/2005	No	No	No

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

The bill as drafted would cover erasers of vulcanized rubber in subheading 4015.92.00, a subheading which does not appear in the Harmonized Tariff Schedule. The correct subheading is 4016.92.00. Other suggested modifications shown on page 1 are intended to track the language of the permanent provision.

<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  
1<sup>ST</sup> SESSION

# H. R. 3308

To suspend temporarily the duty on erasers.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2005

Mr. ROSS introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on erasers.

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. ERASERS.**

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:

“	9902.05.70	Erasers (provided for in sub-heading 4015.92.00) .....	Free		No change		No change		On or before 12/31/2008	”.
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8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to goods entered, or withdrawn from

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

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