MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress ¹

[Date approved: August 30, 2006]²

Bill No. and sponsor: S. 3084 (Mr. Sam Brownback of Kansas).

Proponent name, location: Mommy’s Helper, Wichita, KS.

Other bills on product (109th Congress only): None.


Retroactive effect: None.

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

Bathtub or shower safety handles of plastics, designed to be attached to fixtures or walls, with tab levers for creating suction (provided for in subheading 3926.90.25).

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 product is a lightweight, portable plastic safety handle device for both children and adults, designed to be installed on the top portion of the entry/exit side of a bathtub or on smooth shower walls. It is attached by simply pressing tab levers at each end which provide suction for holding the device in place. The proponent sells this product under an exclusive marketing agreement as Safe-er-Grip.™ The proponent’s product is imported from China. Other safety handles utilize different means of attachment (permanent or temporary);

¹ Industry analyst preparing report: Ray Cantrell (202-205-3362); Tariff Affairs contact: Jan Summers (202-205-2605).
Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheading: 3926.90.25</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td>Col. 1-General rate of duty 1/</td>
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<tr>
<td>2006</td>
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<tr>
<td>6.5%</td>
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<tr>
<td>Estimated value duty imports</td>
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<tr>
<td>$330,000</td>
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<tr>
<td>Customs revenue loss</td>
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<td>$21,450</td>
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</table>

Source of estimated dutiable import data: Commission and industry estimates.

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

<table>
<thead>
<tr>
<th>Name of firm/organization</th>
<th>Date contacted</th>
<th>Claim US makes same or competing product(s)?</th>
<th>Submission attached?</th>
<th>Opposition noted?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mommy’s Helper (Proponent) Mr. Martin Park, 316-684-2229</td>
<td>07/15/2006</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Bayer Corporation Ms. Karen Niedermeyer, 412-777-2058</td>
<td>07/19/2006</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Boon, Inc. Mr. Andrew Douglas, 480-456-0224</td>
<td>07/21/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Bemis Manufacturing Company Ms. Lisa Herman, 920-467-4621 Ms. Sheryl Heimryl (Import Specialist).</td>
<td>07/21/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Carmichael International Service Ms. Carol Robertson, 213-353-0800</td>
<td>07/20/2006</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Dorel Juvenile Group Rosemary Robinson, 812-372-0141 Vinny D’Alleva, 781-364-3100; 364-3900</td>
<td>07/20/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Ginsey Industries Mr. Keith Haber, 856-933-1300, ext. 170 <a href="mailto:khaber@ginsey.com">khaber@ginsey.com</a></td>
<td>07/19/2006</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Graco Children’s Products, Inc. Ms. Marsha Dawson, 610-884-8000</td>
<td>07/20/2006</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Juvenile Products Manufacturers Association Mr. Mike Dwyer, 856-638-0420</td>
<td>07/18/2006</td>
<td>No</td>
<td>No</td>
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<td>Juvenile Solutions Ms. Pamela Neckameyer, 818-778-0858</td>
<td>07/20/2006</td>
<td>No</td>
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<tr>
<td>Name of firm/organization</td>
<td>Date contacted</td>
<td>Claim US makes same or competing product(s)?</td>
<td>Submission attached?</td>
<td>Opposition noted?</td>
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<td>LANXESS Corporation</td>
<td>07/19/2006</td>
<td>No</td>
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<td>Ms. Jamie Schaeffer, 412-809-3666</td>
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<tr>
<td>Potty Training Concepts</td>
<td>07/18/2006</td>
<td>No</td>
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<td>Ms. Narmin Parpia, 713-817-1998</td>
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<td>PRIMO®</td>
<td>07/21/2006</td>
<td>No</td>
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<td>Ms. Paulette Zazzara, 973-926-5900</td>
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<td>Retail Industries Leaders Association</td>
<td>07/20/2006</td>
<td>No</td>
<td>No</td>
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<td>Ms. Lori Denim, 703-600-2012</td>
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<td>Target Stores</td>
<td>07/18/2006</td>
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<td>Ms. Susan Flack, 202-822-6288</td>
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<td>Ms. Toni Dembski, 612-696-2573</td>
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<td>Toys “R” US, Inc.</td>
<td>07/20/2006</td>
<td>No</td>
<td>No</td>
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<td>Chris (service specialist), 800-869-7787</td>
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<td>Wal-Mart Stores, Inc.</td>
<td>07/18/2006</td>
<td>No</td>
<td>No</td>
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<td>Mr. Tres Bailey, 202-737-2806</td>
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<td>Mr. Mark Haney, 202-216-9307</td>
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**Technical comments:**

It is suggested that the article description be modified as shown on page 1. We defer to Customs regarding the appropriate tariff classification of the goods but have suggested a different reference for this product as falling in HTS subheading 3926.90.25, covering handles and knobs, not elsewhere specified or included, of plastics, with a 6.5 percent general rate of duty.

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3 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.

To suspend temporarily the duty on bath tub safe-er-grips.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

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

A BILL

To suspend temporarily the duty on bath tub safe-er-grips.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. BATH TUB SAFE-ER-GRIPS.

(a) In General.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

| 9902.39.24 | Bath tub safe-er-grips (provided for in subheading 3924.90.55) | Free | No change | No change | On or before 12/31/2009 |

(b) Effective Date.—The amendment made by subsection (a) applies to goods entered, or withdrawn from
warehouse for consumption, on or after the 15th day after

the date of the enactment of this Act.