

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: April 2, 2010]²

Bill No. and sponsor: S. 1928 (Mr. Max Baucus of Montana).

Proponent name,³ location: Sun Mountain Sports, Missoula, MT.

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

Nature of bill: Extension of temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

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

Golf bag bodies, flat, of woven fabrics of nylon or polyester, whether or not sewn together with pockets, dividers or graphite club protectors or accompanied by rainhoods (provided for in subheading 6307.90.98).

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 articles are golf bag bodies made of woven nylon or polyester fabric, imported flat without internal rods and/or other framing. The proponent's golf bag bodies are accompanied by rainhoods, usually not attached when the bag bodies are imported, but instead are inserted into pockets on the bag bodies. After importation, the proponent adds an injection-molded bottom and top ferrules, an external stand, and other features to each bag, depending on the model. The subject articles are produced in and imported from China.

¹ Industry analyst preparing report: Don Sussman (202-205-3331); Tariff Affairs contact: Jan Summers (202-205-2605).

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

³ The sponsor/proponent identified three additional beneficiaries of this bill. USITC staff sent inquiries to the additional beneficiaries but did not receive any response.

⁴ HTS heading 9902.23.24 expired on December 31, 2009.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 6307.90.98:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	7%	7%	7%	7%	7%
Estimated value <i>dutiable</i> imports ^a	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000
Customs revenue loss ^b	\$840,000	\$840,000	\$840,000	\$840,000	\$840,000

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.

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)		
Sun Mountain Sports (Proponent) Blake Ludwick, blake@sunmountain.com	12/07/2009	No	No	No
Action Bag & Cover, Inc. Fax: 714-964-5949	12/28/2009	No	No	No
Dynamic Brands Fax: 804-515-1091	12/28/2009	No	No	No
Nike, Inc. Fax: 503-646-6926	12/28/2009	No	No	No
Parrott Canvas Co., Inc. Fax: 252-752-8525	12/28/2009	No	No	No
Ping Fax: 602-687-4490	12/28/2009	No	No	No
Premier Pack Industries, Inc. Fax: 718-230-4134	12/28/2009	No	No	No
PromoPros Fax: 281-596-7583	12/28/2009	No	No	No
Scott Travel Products Fax: 402-341-1496	12/28/2009	No	No	No
TaylorMade Golf Fax: 919-719-7958	12/28/2009	No	No	No
Titleist Fax: 508-979-3900	12/28/2009	No	No	No
Travel Goods Association Nate Herman, 703-797-9062	12/27/2009	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Wilson Sporting Goods Co. Fax: 773-714-4565	12/28/2009	No	No	No

Technical comments:⁵

It is suggested that, for greater clarity, the proposed article description should be amended as shown on page 1. We note that the subject products may be viewed as incomplete goods at the time of entry because they lack straps and other components, and because they are not yet usable for the intended purposes of storing and transporting golf clubs and related accessories. However, a wide variety of goods with differing features and levels of assembly are reportedly being imported by various firms, and the features or degrees of assembly that allow a particular good to be classified in HTS subheading 6307.90.98 rather than in heading 4202 are difficult to delineate. Thus, it does not seem useful to use the word “incomplete” in the article description of a chapter 99 provision, and consultations with the industry and with Customs and Border Protection officials suggest that the language presented on page 1 may alleviate some issues that arose under the temporary HTS heading (9902.23.24) as it applied until the end of 2009

⁵ 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. 1928

To extend and modify the temporary suspension of duty on golf bag bodies made of woven fabrics of nylon or polyester sewn together with pockets, and dividers or graphite protectors, accompanied with rainhoods.

IN THE SENATE OF THE UNITED STATES

OCTOBER 26, 2009

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

A BILL

To extend and modify the temporary suspension of duty on golf bag bodies made of woven fabrics of nylon or polyester sewn together with pockets, and dividers or graphite protectors, accompanied with rainhoods.

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. GOLF BAG BODIES MADE OF WOVEN FABRICS**
2 **OF NYLON OR POLYESTER SEWN TOGETHER**
3 **WITH POCKETS, AND DIVIDERS OR GRAPHITE**
4 **PROTECTORS, ACCOMPANIED WITH**
5 **RAINHOODS.**

6 (a) IN GENERAL.—Heading 9902.23.24 of the Har-
7 monized Tariff Schedule of the United States (relating to
8 golf bag bodies made of woven fabrics of nylon or polyester
9 sewn together with pockets, and dividers or graphite pro-
10 tectors, accompanied with rainhoods) is amended—

11 (1) by amending the article description to read
12 as follows: “Golf bag bodies made of woven fabrics
13 of nylon or polyester sewn together with pockets,
14 and dividers or graphite protectors, accompanied
15 with rainhoods”; and

16 (2) by striking “12/31/2009” and inserting
17 “12/31/2011”.

18 (b) EFFECTIVE DATE.—The amendment made by
19 subsection (a) applies to goods entered, or withdrawn from
20 warehouse for consumption, on or after the 15th day after
21 the date of the enactment of this Act.

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