

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: March 25, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2122 (Mr. Herb Kohl of Wisconsin).

**Proponent name,<sup>3</sup> location:** S.C. Johnson and Son, Inc., Racine WI.

**Other bills on product (111<sup>th</sup> 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)):**

Plug-in electrothermic appliances each with a single integral fan and designed to dispense the fragrance of scented oil, such appliances with exterior shell of plastics, having an overall height of 18 mm or more but not over 21 mm (provided for in subheading 8516.79.00).

**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 products, single-fan plug-in scented oil fragrance-dispensing appliances, are consumer products that mitigate unpleasant odors in indoor spaces. The proponent's plug-in air freshener appliances covered by this bill each consist of a plastic (polymer) outer shell, a fan dispenser, and an oil fragrance warmer unit that plugs upright into an electrical outlet. The principal U.S. import source of such appliances is China.

<sup>1</sup> Industry analyst preparing report: Ruben Mata (202-205-3403); Tariff Affairs contact: Jan Summers (202-205-2605).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

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

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 8516.79.00:**

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	2.7%	2.7%	2.7%	2.7%	2.7%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$3,100,000	\$3,100,000	\$3,100,000	\$3,100,000	\$3,100,000
Customs revenue loss <sup>b</sup>	\$83,700	\$83,700	\$83,700	\$83,700	\$83,700

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)		
S.C. Johnson and Son, Inc. (Proponent) Nancy Levenson, 202-331-1186	12/15/2009	No	No	No
Dial Corp. Maggie Grey, 860-571-5100	12/22/2009	No	No	No
Procter & Gamble Corp. Deborah Hagel, 513-983-1100	01/04/2010	No	No	No
Unilever Corp. Scott Williams, 201-227-2506	12/22/2009	No	No	No

**Technical comments:<sup>4</sup>**

It is suggested that the proposed article description be amended to read as shown on page 1, to provide a clearer description and conform more closely to normal HTS usage.

<sup>4</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.

111TH CONGRESS  
1ST SESSION

# S. 2122

To suspend temporarily the duty on single-fan assisted, plug-in, scented oil dispensing, electrothermic appliances.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

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## A BILL

To suspend temporarily the duty on single-fan assisted, plug-in, scented oil dispensing, electrothermic appliances.

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. SINGLE-FAN ASSISTED, PLUG-IN, SCENTED OIL**  
4 **DISPENSING, ELECTROTHERMIC APPLI-**  
5 **ANCES.**

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

“	9902.01.00	Single-fan assisted, plug-in, scented oil dispensing, electrothermic appliances made of polymeric materials and having an overall height between 18 and 21 mm (provided for in subheading 8516.79.00) .....	Free	No change	No change	On or before 12/31/2011	”.
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1           (b) **EFFECTIVE DATE.**—The amendment made by  
 2 subsection (a) applies to goods entered, or withdrawn from  
 3 warehouse for consumption, on or after the 15th day after  
 4 the date of the enactment of this Act.

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