



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

Plastic stylus pens, with or without attachment cords, such pens designed for use with hand-held electronic educational devices or electronic toys or games (provided for in subheading 8543.90.88)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
 Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

The subject plastic stylus pens are used in conjunction with hand-held electronic educational devices or electronic toys. The educational devices are imported under subheading 8543.70.96 (other electrical machines and apparatus, having individual functions, not specified or included elsewhere in chapter 85), and the toys and games are classified in heading 9503 or 9504, respectively. Separate shipments of the stylus pens are treated as parts for these devices and are imported under statistical annotation 8543.90.8880 (other parts for other electrical machines and apparatus, not specified or included elsewhere in chapter 85). The bulk of such plastic stylus pens are imported from China.

IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	8543.90.88				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty or percentage point reduction (%)	2.6	2.6	2.6	2.6	2.6
Estimated value of <i>dutiable</i> imports (\$)	10,000	10,000	10,000	10,000	10,000
Customs revenue loss (\$)	260	260	260	260	260

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
 Provided by industry sources
 Industry information
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) Temporary rate (%) Percentage point reduction (%)

V. Technical comments

The article description set forth above was modified for greater clarity and to add the correct HTS number.

VI. Continuation

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VII. Contacts with domestic firms/organizations

	# Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	LeapFrog Enterprises (Interested entity) Robert Lattuga	510-596-3328	No	No	No
2	BJ's Wholesale Club Rachel Rowells	774-512-6554	No	No	No
3	Target Heather Bovitz	763-405-0369	No	No	No
4	Toys "R" Us Maureen Ford	973-617-5515	No	No	No
5	Wal-mart Casey Rector	479-277-0018	No	No	No

112TH CONGRESS
2D SESSION

S. 2566

To suspend temporarily the duty on certain plastic stylus pens for use with toys.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2012

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

A BILL

To suspend temporarily the duty on certain plastic stylus pens for use with toys.

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. CERTAIN PLASTIC STYLUS PENS FOR USE WITH**

4 **TOYS.**

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

“	9902.01.00	Plastic stylus pen with or without attachment cord designed for use with electronic drawing toys, electronic games or educational toys or devices (provided for as 'parts' in heading 8543, 9503 or 9504)	Free	No change	No change	On or before 12/31/2015	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
 2 subsection (a) applies with respect to goods entered, or
 3 withdrawn from warehouse for consumption, on or after
 4 the 15th day after the date of the enactment of this Act.

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