

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: September 23, 2005]²

Bill No. and sponsor: H.R. 2175 (Mr. Chabot)

Proponent name, location: Procter & Gamble Company
Cincinnati, OH 45201

Other bills on product (109th 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)):

Staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, each measuring less than 5.0 decitex,³ having a multi-limbed cross-section with the limbs having a length-to-width aspect ratio of at least 2:1 (provided for in subheading 5504.10.00)

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 staple fiber described above is a tri-lobal rayon staple fiber, each measuring 38 mm in staple length and having a decitex of 3.3. This particular fiber is used in the manufacture of feminine hygiene products as the primary absorbent material in certain tampons. It allows tampon manufacturers to meet FDA prescribed unit absorbency measures using less bulk, thereby providing slimmer, more comfortable tampons. It was specifically engineered for absorption performance in a joint effort by Tambrands, the maker of Tampax Tampons that was acquired by Procter & Gamble in 1997, and Acordis, formerly Courtaulds, a German rayon fiber producer. Acordis holds the patent on the production of the subject fiber and does not license the patent. U.S. companies import the subject rayon fiber from Germany.

¹ Industry analyst preparing report: Andrea Boron (202-205-3433); Tariff Affairs contact: Jan Summers (202-205-2605).

² An electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm

³ Decitex is a metric unit of measurement relating weight to length and representing the weight in grams of 1 kilometer of a fiber.

Estimated effect on customs revenue:

HTS subheading: 5504.10.00					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	4.3%	4.3%	4.3%	4.3%	4.3%
Estimated value <i>dutiable</i> imports	\$17,000,000	\$17,000,000	\$17,000,000	\$17,000,000	\$17,000,000
Customs revenue loss	\$731,000	\$731,000	\$731,000	\$731,000	\$731,000

Source of estimated dutiable import data: Industry estimates.

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?
		(Yes/No)		
Procter & Gamble Mr. Scott Miller 202-393-3404	7/20/2005	No	Yes	No
Liberty Fibers Corporation Mr. Craig Barker 423-585-4800	7/28/2005	Yes	Yes	Yes
Congressman Chabot's Office Mr. Kevin Fitzpatrick 202-225-2216	7/14/2005	No	No	No
Fiber Economics Bureau Mr. Frank Horn 404-266-0764	7/28/2005	No	No	No
American Fiber Manufacturers Association Mr. Paul O'Day 703-875-0432	7/28/2005	Yes	No	No
First Quality Enterprises Mr. Mosha Oppenheimer 516-498-3692	7/28/2005	No	No	No
Kimberly Clark Mr. Fred Shaffer 920-721-3117	7/28/2005	No	No	No
Johnson & Johnson Mr. Ralph Sheppard 203-256-1478	7/28/2005	No	No	No
Playtex Products Mr. William Stammer 203-341-4074	7/28/2005	No	No	No

Technical comments:⁴

It is suggested that the proposed article description be amended as shown on page 1, in order to be more consistent with other tariff usage and to describe the product more clearly.

⁴ 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.

109TH CONGRESS
1ST SESSION

H. R. 2175

To suspend temporarily the duty on certain rayon staple fibers.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2005

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

A BILL

To suspend temporarily the duty on certain rayon staple
fibers.

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 RAYON STAPLE FIBERS.**

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:

“	9902.55.04	Viscose filament rayons hav- ing a decitex of less than 5.0 and a multi-limbed cross-sec- tion, the limbs having a length-to-width aspect ratio of at least 2:1 (provided for in subheading 5504.10.00) ..	Free	No change	No change	On or before 12/31/2008	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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