

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: October 11, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2542 (Mr. Kuhl).

**Proponent name, location:** Corning, Inc., Corning, NY.

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of existing temporary duty suspension through Dec. 31, 2009.

**Retroactive effect:** None.

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

The bill should amend the expiration date shown in existing HTS heading 9902.04.32 rather than enact a new provision, and the effective periods of the two provisions would overlap.

**Check one:**     \_\_\_ Same as that in bill as introduced  
                  \_\_\_ x Different from that in bill as introduced (see Technical comments section)

**Product information, including uses/applications and source(s) of imports:**

Two products are now eligible for entry without duty under heading 9902.04.32. The products covered by HTS subheading 7017.20.00 are laboratory, hygienic, or pharmaceutical glassware, whether or not graduated or calibrated. This low expansion glassware is heat resistant. It includes such items as flasks, beakers, and test tubes that are used in hospitals, schools, and laboratories for medical and other research and experiments. The principal sources of U.S. imports are Germany, the United Kingdom, and Mexico.

The products covered by HTS subheading 7020.00.60 are blanks and components for finished glassware made of the specified low expansion glass. These items are likewise heat resistant, and are further worked to produce finished products for applications requiring heat resistance. The principal sources of imports are Japan, Germany, and China.

<sup>1</sup> Industry analyst preparing report: Gail Burns (202-205-2501); Tariff Affairs contact: Jan Summers (202-205-2605).

<sup>2</sup> An electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>Total Estimated Revenue Loss for this Bill</b>					
	2005	2006	2007	2008	2009
Customs revenue loss	\$5,912,000	\$5,912,000	\$5,912,000	\$5,912,000	\$5,912,000

<b>HTS subheading: 7017.20.00</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.7%	6.7%	6.7%	6.7%	6.7%
Estimated value <i>dutiable</i> imports	\$16,000,000	\$16,000,000	\$16,000,000	\$16,000,000	\$16,000,000
Customs revenue loss <sup>1/</sup>	\$1,072,000	\$1,072,000	\$1,072,000	\$1,072,000	\$1,072,000

<sup>1/</sup> The customs revenue loss data for 2005-2006 reflect the existing temporary duty suspension in effect through the end of 2006.

Source of estimated dutiable import data: Industry estimates.

<b>HTS subheading: 7020.00.60</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	5%	5%	5%	5%	5%
Estimated value <i>dutiable</i> imports	\$96,800,000	\$96,800,000	\$96,800,000	\$96,800,000	\$96,800,000
Customs revenue loss <sup>1/</sup>	\$4,840,000	\$4,840,000	\$4,840,000	\$4,840,000	\$4,840,000

<sup>1/</sup> The customs revenue loss data for 2005-2006 reflect the existing temporary duty suspension in effect through the end of 2006.

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)		
Corning Inc. (Proponent) 607-974-9000	8/30/2005	No	No	No
Kimble Glass Inc. 919-872-3772	8/30/2005	No	No	No
Jeanette Specialty Glass Co. 724-523-5567	8/30/2005	No	No	No

**Technical comments:<sup>3</sup>**

It is suggested that the bill be amended to conform with other bills renewing existing duty suspensions or reductions, so that it would merely amend the expiration date as intended rather than create a duplicate heading with an effective period overlapping the existing provision. No changes in the existing heading's article description are suggested, because no problems in its scope or administration are known.

<sup>3</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.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2542

To suspend temporarily the duty on low expansion laboratory glass.

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IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2005

Mr. KUHLMAN of New York introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on low expansion laboratory glass.

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. LOW EXPANSION LABORATORY GLASS.**

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:

“	9902.70.17	Laboratory, hygienic, or pharmaceutical glassware, whether or not graduated or calibrated, of low expansion borosilicate glass or aluminoborosilicate glass, having a linear coefficient of expansion not exceeding $3.3 \times 10^{-7}$ per Kelvin within a temperature range of 0 to 300° C (provided for in subheadings 7017.20.00 and 7020.00.60) .....	Free	No change	No change	On or before 12/31/2009	”.
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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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