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June 22, 2012

## VIA ELECTRONIC POSTING

House Committee on Ways and Means  
Attention: MTB  
1102 Longworth House Office Building  
Washington D.C. 20515

RE: Written Comments on Tariff Bill H.R. 5489  
Certain cases or containers of subheading 4202.92.90, specially shaped for fitted  
for use with electronic drawing toys, electronic games or educational devices

To Whom It May Concern:

By and through its undersigned attorneys, Bensussen Deutsch & Associates (“BDA”) respectfully submits the following written comments in support of H.R. 5489, to extend temporarily the suspension of duty on certain cases or containers of subheading 4202.92.90, specially shaped for fitted for use with electronic drawing toys, electronic games or educational devices.

The cases for which extension of duty suspension is sought are branded cases designed for use with a specific handheld electronic drawing toy (such as a Nintendo uDraw), electronic game (such as a Nintendo DS or Sony PSP) or educational device (such as a Leapster). The exterior of the cases is made of textile material or plastic sheeting; the exterior can include other materials so long as textiles and/or plastic sheeting provide the “essential character” of the case. The exterior of the case or container also bears the logo or brand name of the portable electronic

device for which it is designed, or other descriptive information that indicates its intention to be used with a specific device. The case or container is designed and specially shaped and fitted to provide storage, protection, portability and organization to the drawing, game or educational device and its necessary accessories. For example, a case designed to provide storage, protection, portability and organization for a Nintendo DS game system might have a compartment specially shaped and fitted for the Nintendo DS game console, and compartments to hold game cartridges, styluses, and other small accessories.

To the knowledge of BDA, there are no U.S. producers of cases meeting the above description. By lowering the cost of imported cases, H.R. 5489 supports jobs in U.S. companies such as BDA, which designs and sells branded promotional merchandise including games cases, and has 302 employees in Washington state and 537 overall. H.R. 5489 also benefits U.S. consumers by eliminating a tariff that would otherwise have to be passed on to the final customer, as well as companies that license the use of their logos for the cases and benefit from greater sales. Because of this, cases meeting the above description are already the subject of a temporary duty suspension under the United States Manufacturing Enhancement Act of 2010. This relief expires at the end of 2012; accordingly, Nufarm urges that H.R. 5489 be included in the 2012 Miscellaneous Tariff Bill.

H.R. 5489 is a tariff relief provision; it is not an earmark. Any company importing the described cases or containers will benefit directly from the relief provided; downstream consumers will also benefit indirectly from the reduced cost.

Respectfully submitted,

JOEL R. JUNKER & ASSOCIATES

A handwritten signature in black ink, appearing to read 'Joel R. Junker', with a long horizontal flourish extending to the right.

Joel R. Junker

Heather Jacobson