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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. 5490
Certain cases or containers of subheading 4202.99.90, specially shaped for fitted
for use with electronic drawing toys or electronic games of heading 9503 or 9504

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. 5490, to suspend duty temporarily on certain cases or containers of subheading 4202.99.90, specially shaped for fitted for use with electronic drawing toys or electronic games of heading 9503 or 9504.

The cases for which temporary duty suspension is sought are branded cases designed for use with a specific handheld electronic drawing toy (such as a Nintendo uDraw) or electronic game (such as a Nintendo DS or Sony PSP). The exterior of the cases is made of injection molded ABS (acrylonitrile butadiene styrene) or PP (polypropylene); the exterior can include other materials so long as ABS or PP 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 electronic drawing toys or electronic games of heading 9503 or 9504. 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. 5490 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. 5490 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. Accordingly, Nufarm urges that H.R. 5490 be included in the 2012 Miscellaneous Tariff Bill.

H.R. 5490 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



Joel R. Junker
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