

Administration's Technical Comments on Tranche 1 through Tranche 6, as of 11-23-10

All Technical Comments are provided by CBP unless otherwise stated.

S 1805	Capitalize common name: "Fenarimol".
S 1806	Correct chemical name to: "O,O-dimethyl S-phthalimidomethyl phosphorodithioate".
S 1826	Please note: not all snow globes of glass are classifiable in subheading 7013.99. Generally, an ordinary snow globe of glass with a representation of a figure or object inside the globe (and no figures outside the globe) and an ordinary base (other than those globes with wind-up musical mechanisms and other than those which are deemed festive) would be classified in 7013.99. However, when there are three-dimensional representations of figures or objects both inside and outside the globe, classification will be based on the material of the figures or objects (e.g., if the figures or objects are plastics, Chapter 39 would apply; if they are agglomerated stone, 6810.99; if ceramics, Chapter 69; etc.). However, as long as there is simply a figure inside the glass globe and no figure or object outside the globe, 7013.99 would apply. Assuming the intent of this bill is to cover only those snow globes with a figure inside the globe and no figures outside, the bill as written would be acceptable. However, if the intent is to cover even those globes with figures inside and outside the globe, many more HTS numbers would have to be mentioned. It also may be necessary to clarify whether this bill is intended to cover only snow globes (and not water globes) or to cover both snow globes and water globes. If the intent is to cover both, this should be clarified.
S 1841	By force of Section VI Additional U.S. Note 2(b), the correct classification should be changed to: 2933.59.18.
S 1845	HTS number should be changed to 3824.90.91.
S 1848	Common name is incorrect in the bill title and in the present text of 9902.12.54. It should be Fludioxonil. Text should read: "1H-Pyrrole-3-carbonitrile, 4-(2,2-difluoro-1,3-benzodioxol-4-yl)-(fludioxonil) (CAS No. 131341-86-1) (provided for in subheading 2934.99.12)."
S 1851	Common name is incorrect in the bill title. It should be azoxystrobin. Present text of 9902.02.06 uses the uncommon name pyroxystrobin as the common name. Recommend amendment to the text as follows: "Benzeneacetic acid, (E)-2-[[6-(2-cyanophenoxy)-4-pyrimidinyl]oxy]- α -(methoxymethylene)-, methyl ester (azoxystrobin) (CAS No. 131860-33-8) (provided for in subheading 2933.59.15)."
S 1853	This bill's title uses the name "mefenoxam" which has no official status. It should use the common name "metalaxyl-M."
S 1855	Classification is incorrect. This product is classified in subheading 2933.99.22. The text of 9902.12.59 should read as follows: "[α -(4-Chlorophenyl)- α -(1-cyclopropylethyl)-1H-1-1,2,4-triazole-1-ethanol (Cyproconazole) (CAS No. 94361-06-5) (provided for in subheading 2933.99.22)."
S 1864	This product is an herbicide safener. FIFRA considers safeners to be inert. They are not pesticidally active. As such, we cannot classify cloquintocet-mexyl as a pesticide. The text of 9902.12.57 should be amended to read: "Acetic acid, 5-chloro-8-quinolinoxy-, 1-methylhexyl ester (Cloquintocet-mexyl) (CAS No. 99607-70-2) (provided for in subheading 2933.49.60)."
S 1875	Bill should be written to include chemical name, not product specific name.
S 1877	Bill should be rewritten to correct typo. 3809.10.00 should read 3908.10.00.
S 1878	Heading 7019 applies if the product is pure glass fibers or a combination of glass fibers and plastics in which the glass fibers impart essential character (not plastic reinforced with glass fibers and not a combination of glass fibers and plastics in which the plastic imparts essential character). Subheading 7019.32.00 applies assuming these items are simply thin sheets of glass fibers. Please note

	the proposed new language for subheading 9902.70.19 substantially changes the thickness of the merchandise covered by the original provision, allowing in products with different thicknesses - products not covered by the original 9902.70.19 provision. In essence, this is more than a modification of the subheading but an introduction of different products than those covered by the original subheading. Perhaps this change calls for a new Chapter 99 subheading rather than simply a modification of the existing 9902.70.19.
S 1879	This bill cannot be administered. It is impossible and unrealistic to go back so many years and credibly determine if the goods were made of MDF or other type of fiberboard, if they were tongued, grooved or rabbetted continuously along any of their edges and dedicated for use in the construction of walls, ceilings or other parts of buildings, and if they were laminated or impregnated boards using synthetic resins. In addition, the bill is very broad; it includes any goods described in subheading 4411.12.20, 4411.13.20, and 4411.14.20, HTS. In the case of flooring, it would be contrary to the decision of the Court of Appeals in the cases of Witex and Faus (CAFC 2008-1604 and 1605).
S 1880	Title of bill should be amended to read "To extend the temporary suspension of duty on 2 -Chlorotoluene and Chloromethylbenzene." Section 1 title should be amended to read "2 Chlorotoluene and Chloromethylbenzene". Section 1 (a) should be amended to read "IN GENERAL - Headings 9902.22.17 (2-Chlorotoluene) and 9902.22.18 (Chloromethylbenzene) of the Harmonized Tariff Schedule of the United States are each amended....."
S 1883	Bill title should be modified to read "To extend the temporary suspension of duty on mixtures of sodium salts of iminodisuccinic acid, whether or not in water." Section 1 (a) (2) of the bill refers to heading 9902.38.10 which does not exist. This should be deleted from the bill.
S 1895	Per CBP Lab, no substitution of amine Hydrogen. Product is therefore not considered an aniline derivative. Correct classification should be 2921.49.45. Suggest name change in bill for clarity to "Benzenamine, dodecyl-, branched" per NCI database.
S 1898	Based on the information submitted to CBP office the yttrium oxide phosphor would most likely be classified under HTS 2846.90.8000 as per HQ963844, although a complete laboratory analysis of the chemical composition would be necessary for a definitive classification decision. Please see the exclusions in the Explanatory Notes for heading 3206: the heading does not cover products answering to descriptions in headings 28.43 to 28.46 and 28.52 (e.g., a mixture of yttrium oxide and europium oxide), however put up and whatever their intended use.
S 1899	Based on the information submitted to CBP office the yttrium oxide phosphor would most likely be classified under HTS 2846.90.8000, as per HQ963844. A complete laboratory analysis of the chemical composition would be necessary for a definitive classification decision. Please see the exclusions in the Explanatory Notes for heading 3206: the heading does not cover products answering to descriptions in headings 28.43 to 28.46 and 28.52 (e.g., a mixture of yttrium oxide and europium oxide), however put up and whatever their intended use. This bill is duplicated by S. 2660.
S 1900	Add common name to item description as follows: "Mixtures of DL-Homoalanin-4-yl(methyl)phosphinic acid, ammonium salt (Glufosinate-ammonium) (CAS No. 77182-82-2) with application adjuvants (provided for in subheading 3808.93.50)."
S 1901	Item description should be corrected as follows: "Product mixtures containing Isoxaflutole (5-cyclopropyl-1,2-oxazol-4-yl)(α,α -

	trifluoro-2-mesyl-p-tolyl)methanone and Cyprosulfamide (N-[[4-[(cyclopropylamino)carbonyl]phenyl]sulfonyl]-2-methoxybenzamide) (CAS Nos. 141112-29-0, 221667-31-8) (provided for in subheading 3808.93.15)."
S 1907	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Delete the word "sport" from the title and section description of this bill and insert "athletic". The HTS number and corresponding description are correct as written. They do not pertain to "sports" footwear which is used to describe a specific type of footwear provided for elsewhere in the tariff schedule. (See Subheading note 1 to ch64).
S 1908	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Delete the word "sport" from the title and section description of this bill and insert "athletic". The HTS number and corresponding description are correct as written. They do not pertain to "sports" footwear which is used to describe a specific type of footwear provided for elsewhere in the tariff schedule. (See Subheading note 1 to ch64).
S 1915	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Bill should be rewritten to indicate the product is valued at less than \$10/pair. (DOC)
S 1916	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Bill description should read "Other footwear with uppers of textile materials (other than of vegetable fibers or with soles and uppers of wool felt), other than house slippers, the foregoing for women...." Bill should be rewritten to indicate the product is valued at less than \$10/pair. (DOC)
S 1917	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Delete the word "sports" from the title and section description of this bill and insert "athletic". The description does not pertain to

	"sports" footwear which is used to describe a specific type of footwear provided for elsewhere in the tariff schedule. (See Subheading note 1 to ch64). Also description of 99 number confusing. As written, house slippers, tennis, basketball, gym, training, etc are not included. What about work footwear? Suggest changing the bill description to read: "youths and boys...(and not including house slippers or work footwear) tennis shoes, basketball shoes..."
S 1920	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Delete the word "sport" from the title and section description of this bill and insert "athletic". The HTS number and corresponding description are correct as written. They do not pertain to "sports" footwear which is used to describe a specific type of footwear provided for elsewhere in the tariff schedule. (See Subheading note 1 to ch64).
S 1922	Lanthanum phosphate phosphor activated by cerium and terbium would most likely be classified under HTS 2846.90.8000 as per HQ963844. A complete laboratory analysis of the chemical composition would be necessary for a definitive classification decision. Please see the exclusions in the Explanatory Notes for heading 3206: The heading does not cover products answering to descriptions in headings 28.43 to 28.46 and 28.52 (e.g., a mixture of yttrium oxide and europium oxide), however put up and whatever their intended use. This bill is duplicated by S. 2654.
S 1944	Add common name "Fipronil" after chemical name. Add "and inerts" after CAS number. Correct classification is 3808.91.25.
S 1945	Add the following chemical name before Triticonazole: "(RS)-(E)-5-(4-chlorobenzylidene)-2,2-dimethyl-1-(1H-1,2,4-triazol-1-ylmethyl)cyclopentanol".
S 1950	Capitalize "Metsulfuron" and place a dash between "Metsulfuron" and "methyl."
S 1952	Add "Paraquat dichloride" after chemical name. Add "and inerts" after CAS number.
S 1972	Common name should be amended to "Iodosulfuron-methyl-sodium." Item description should read as follows: "Mixtures of methyl 4-iodo-2-[3-(4-methoxy-6-methyl-1,3,5- triazin-2-yl)ureidosulfonyl] benzoate, sodium salt (Iodosulfuron-methyl-sodium) (CAS No. 144550-36-7) and application adjuvants (provided for in subheading 3808.93.15)."
S 1979	Heading 7019 applies assuming the product is pure glass fibers or a combination of glass fibers and plastics in which the glass fibers impart essential character (not plastic reinforced with glass fibers and not a combination of glass fibers and plastics in which the plastic imparts essential character). Subheading 7019.32.00 applies assuming that these items are simply thin sheets of glass fibers. Since the information in the description of this product indicates that the merchandise includes plastic resin, we cannot be absolutely certain that heading 7019 applies without an examination and perhaps lab analysis of a sample. We need to examine the product and possibly have it analyzed by our lab in order to determine whether the essential character of the item is glass fibers or plastics.
S 1980	Heading 7019 applies assuming product is pure glass fibers or a combination of glass fibers and plastics in which the glass fibers impart essential character (not plastic reinforced with glass fibers and not a combination of glass fibers and plastics in which the plastic imparts essential character). Subheading 7019.32.00 applies assuming these items are simply thin sheets of glass fibers. Since the

	information in the description of this product indicates that the merchandise includes plastic resin, we cannot be absolutely certain that heading 7019 applies without an examination and perhaps lab analysis of a sample. We need to examine the product and possibly have it analyzed by our lab in order to determine whether the essential character of the item is glass fibers or plastics.
S 1985	Gear boxes in 8708.40.11 means transmission - is that intent of bill? Non-transmission gear boxes are classifiable in 8708.99.68.
S 1987	Regarding the question about proposed legislation creating a new HTS provision covering “aluminum vacuum mugs with a lid, of a capacity not exceeding one liter and USB plug-in capability to warm the contents”, please note subheading 9617.00.10 - which provides for “vacuum flasks and other vacuum vessels, complete with cases...vessels: having a capacity not exceeding one liter” - could apply to this merchandise assuming the aluminum vacuum mug is a genuine vacuum vessel. According to the Explanatory Notes (ENs) to heading 9617, this heading applies to vacuum flasks and other vacuum vessels, assuming they are complete with their cases. The ENs indicate that the products covered by 9617 include vacuum jars, jugs, carafes, etc., designed to keep liquids, food or other products at a fairly constant temperature, for reasonable periods of time. According to the ENs, a vacuum flask or vessel is composed of a double-walled receptacle or “inner” (generally of glass) with a vacuum created between the walls plus a protective outer casing of metal, plastics or other material (sometimes covered with paper, leather, leather-cloth, etc). The space between the vacuum vessel and the outer casing may be packed with insulating material (e.g., glass fiber, cork or felt). In order to be classified as a vacuum vessel, a product must be imported with its case and it must in fact consist of a genuine vacuum. Flasks and vessels which do not contain a true vacuum are often incorrectly described as vacuum vessels. To verify that a product is actually a vacuum flask or vessel, a sample must be sent to our CBP Laboratory for analysis. The lab should be asked whether or not the item contains a genuine vacuum. If the product at issue in the proposed legislation is imported with its case and contains a genuine vacuum (verified by analysis performed by our CBP Laboratory), heading 9617 would be applicable. Subheading 9617.00.10 would apply assuming the article has a capacity not exceeding one liter. If the product at issue is not imported with its case or if it does not contain a genuine vacuum, heading 9617 would not be applicable. If heading 9617 does not apply, this mug with “USB plug-in capability to warm the contents” would be classified in subheading 8516.79.00, which provides for other electrothermic appliances of a kind used for domestic purposes. 8516.79.00 would apply if the merchandise fails to qualify for classification in heading 9617. Thus, either heading 9617 or heading 8516 could apply to this merchandise. If heading 9617 applies, it would take precedence over heading 8516. Heading 9617 clearly provides for this merchandise in a more specific manner than heading 8516. However, if this product fails to qualify as a vacuum vessel (e.g., if it does not contain a genuine vacuum), heading 8516 would apply.
S 1989	As written the bill cannot be administered. 4202.32.20 provides for wallets with outer surface of plastic sheeting that is not laminated or reinforced, not for outer surface of nylon textile material. As written, the HTS and product descriptions do not match. If the product description and/or HTS are corrected, CBP can re-review to determine if the bill can be administered.
S 2000	Correct chemical name to: “3-bromo-N-[4-chloro-2-methyl-6-[(methylamino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide”.
S 2002	Bill should be rewritten as an extension for 9902.01.18.
S 2003	The chemical name in the bill title and in the proposed text is incorrect. The common name pyraclostrobin should be added.

	Recommend the following for the item description: "Methyl N-(2-[[1-(4-chlorophenyl)pyrazol-3-yl]oxymethyl]-phenyl)-(N-methoxy)carbamate (Pyraclostrobin) (CAS No. 175013-18-0) (provided for in subheading 2933.19.23)."
S 2007	Delete "3824.90.92" and substitute "3907.30.00".
S 2010	Close parenthesis after acid. Add "and inerts" after CAS number.
S 2016	As written, the bill cannot be administered. If information on product use is provided, CBP can re-review the bill and determine, given the new information, if the bill can be administered.
S 2042	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Subheading 2403.91.47 is the "high-tier" (high-rate) component of a tariff-rate quota arrangement. Merchandise of the kind described by the proposed temporary duty-free provision normally would enter under the "low-tier" provision, subheading 2403.91.45, during the period when the quota remains open (unfilled). Implementation of the new provision would have the effect of making the duty rate (19.9 cents per kg) for the in-quota subheading, 2403.91.45, higher than the duty rate (Free) for the out-of-quota number, 2403.91.47/9902.01.00, for the merchandise concerned. This would seem to be the reverse of the normal situation, requiring importers to pay more duty while the quota is open than when it is closed. On the other hand, if importers were permitted to bypass 2403.91.45 and use 2403.91.47 / 9902.01.00 while the quota remained open, this would presumably have the effect of fouling/distorting the operation/administration of this quota. One possible way of avoiding this problem would be to create a second temporary duty-free provision covering the merchandise concerned when it is entered under 2403.91.45, thus eliminating the duty disparity. Alternatively, in place of "Free," a 19.9 cents/kg (or slightly higher) duty rate could be used for subheading 9902.01.00 / 2403.91.47.
S 2067	Correct common name is "Buprofezin." Also, according to the Compendium of Pesticide Common Names, "[T]he name "buprofezin" was originally approved for a mixture of (E)- and (Z)-isomers [69327-76-0], but in 2008 the sponsor determined that the substance contains only the (Z)-isomer and requested that the definition be changed." A new CAS number was assigned to the (Z)-isomer, 953030-84-7. Recommend using both CAS numbers to avoid possible confusion. The item description should read: "(Z)-2-Tert-butylimino-3-isopropyl-5-phenyl-1,3,5-thiadiazinan-4-one (Buprofezin) (CAS No. 69327-76-0 or 953030-84-7) (provided for in subheading 2934.99.16)."
S 2068	Correct classification is in subheading 2933.19.23.
S 2074	Chloroantraniliprole is an insecticide. Correct classification of formulations based thereon would be in subheading 3808.91.25.
S 2079	Product should be classified in subheading 0811.90.80. Bill description should be corrected from "to reduce" to "to suspend" given that the bill eliminates the duty. (DOC)
S 2082	The word "spray" is vague and undefined in the HTS and needs clarification here. In the industry, the word "spray" can be used interchangeably with the words "arrangement", "bouquet" or any other configuration of flowers. A definition of "spray" needs to be

	included in the product description.
S 2083	The word “swag” is vague and undefined in the HTS and needs clarification here. In the industry, the word “swag” can be used interchangeably with the words “wreath” or “garland”. A definition of “swag” as well as a description of what the backing material is made of and how much is covered by artificial flowers need to be included in the product description.
S 2084	If a good deal of the backing material of the wreath is exposed, the item may not be correctly classified in heading 6702. Clarification is needed as to how much of the backing material must be covered to be provided for in this 9902 provision.
S 2087	First sentence should read: “Switchgear and panel boards specifically designed for wind turbine generators...” as switchgear is identified as a general term covering switching, interrupting, control, metering, protective and regulating devices used primarily in connection with the generation, transmission and distribution of electric power.
S 2088	The first sentence should be changed to read “Power factor capacitor panels specifically designed...” This change would eliminate any confusion over the term “capacitor panels” as “capacitors” are specifically provided for in heading 8532, “Electrical capacitors, fixed, variable or adjustable...”
S 2098	Importer should be aware the language refers to complete isotopic separators, and is limited only to the machinery and apparatus of heading 8401, HTS, and not extended to parts thereof.
S 2102	The requirement that these Electric Motor Controllers be classifiable in HTS 9032 (specifically 9032.89.60) appears to make the proposed language applicable to nothing, given the combination of the 9032 requirement and the description. The product description as written does not correspond to 9032. The “control” of HTS 9032 is limited, by the definition in Note 7 to HTS Chapter 90 and the Harmonized System Explanatory Notes to 9032, only to items that measure a variable and then give the instructions to another device, the actuator, to bring that variable to and/or to maintain it at a pre-selected value, stabilized against disturbances. Another heading which refers to Control, more specifically Electric Control (with various limitations), is 8537. Specifically regarding automobiles, Headquarters Ruling Letter 963805 GOB, 12-14-01, classified an electrical Transmission Control Module, aka, Powertrain Control Module, in HTS 8543. Another possible classification is 8537. More information about the function of the product is required to determine the proper classification.
S 2107	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration’s substantive opposition to the bill. Bill should be rewritten to indicate the product is valued at less than \$10/pair. (DOC)
S 2113	As written, the bill cannot be administered. If use of the mixture is provided, CBP can re-review the bill and determine if, given the new information, the bill can be administered.
S 2121	The amendment strikes out "electrothermic". Fan assisted, scented oil dispensers, if not electrothermic, are classified in HTS subheading 8414.59.60, not subheading 8516.79.00.
S 2124	Tariff number and description need to be modified. Bill should read "Mixtures of 9,10-Anthracenedione, 2-(1,1-dimethylpropyl)- (CAS 32588-54-8) and 9,10-Anthracenedione, 2-(1,2-dimethylpropyl)- (CAS 68892-28-4) (provided for in subheading 2914.69.90) or inorganic

	solution (provided for in subheading 3824.90.28)...."
S 2146	Bill description should read "AC electric motors of an output exceeding 74.6 W but not exceeding 105 W, single phase; each equipped with a capacitor, a rotary speed control mechanism, and a peripherally located mounting, cooling, and electrical isolation ring made of plastics with an internal opening exceeding 80 mm and an external dimension exceeding 127 mm but not exceeding 180 mm (provided for in subheading 8501.40.40)." (DOC)
S 2151	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. HTS 4202.92.08 does not refer to grocery bags, but rather insulated food and beverage bags. Additionally, requiring a storage capacity of not more than 23 liters is not easily administrable. It is recommended that the outer surface dimensions be used to measure the size of the bags.
S 2153	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Measuring the interior storage capacity by volume is not easily administrable. It is recommended that the outer dimensions of the bag in inches or in centimeters be used. HTSUS 4202.92.30 provides for shopping bags, not grocery bags.
S 2155	Add "(Pigment Violet 23)" after "Carbazole violet."
S 2156	If this chemical just consists of barium sulfate and has the CAS number 7727-43-7, the correct classification would be HTS 2833.27.00.
S 2158	CAS and HTS numbers as written in the bill do not correspond. The petitioner has indicated the correct classification should be HTS number 3909.20 and the CAS number should be 68036-97-5.
S 2163	Delete "Poly(styrene)" and substitute "Ion exchange resin, poly(styrene)".
S 2164	Classification should be amended to read 2933.59.95.
S 2174	This is a non aromatic anionic surfactant classifiable as 3402.11.50.
S 2200	As written, this bill cannot be administered. Per CBP Lab "reaction or binding mechanism is not clearly defined, so this may be a mixture of different reactions of the compounds in 3824." As written, the bill cannot be administered. If the CAS number, chemical structure and use are included in the product description, CBP can re-review the bill and determine, given the new information, if the bill can be administered.
S 2202	As written, this bill cannot be administered. Correct CAS number not available in CBP databases. Spelling should be corrected. As written, the bill cannot be administered. If the CAS number, chemical structure and use are included in the product description, CBP can re-review the bill and determine, given the new information, if the bill can be administered.

S 2204	In addition to spelling error in name (s/b naphthalene), name should be rewritten as "6-Diazo-5,6-dihydro-5-oxo-1 naphthalenesulfonic acid ester with phenyl (2,3,4-trihydroxyphenyl)methanone" or "1-Naphthalenesulfonic acid, 6-diazo-5,6-dihydro-5-oxo-, ester with phenyl(2,3,4-trihydroxyphenyl)methanone" based on CAS number supplied. CAS number and classification appear to be correct.
S 2231	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Bill description should be changed to "Insulated hydration systems with an outer surface of textile materials whose interior incorporates a flexible plastic container of a kind for storing and dispensing potable beverages through attached flexible tubing and for which the materials used to manufacture the plastic container walls must be made of United States origin (provided for in subheading 4202.92.04)."
S 2232	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Bill description should be changed to "Insulated hydration systems with an outer surface of textile materials whose interior incorporates a flexible plastic container of a kind for storing and dispensing potable beverages through attached flexible tubing and for which the materials used to manufacture the plastic container walls must be made of United States origin (provided for in subheading 4202.92.04)."
S 2233	As written, the bill cannot be administered given the inability to classify the product. If a more detailed description of the product, including the dimensions of the particle device film in condition as imported, is provided, CBP can re-review the bill and determine, given the new information, if the bill can be administered.
S 2237	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. CBP understands that the intent of this bill was to provide a reduced rate of duty on gloves for professional auto racing pit crew members. A professional auto racing pit crew has seven members (front-tire changer, front-tire carrier, rear-tire changer, rear-tire carrier, jack man, gas man and catch can), none of whom is considered a mechanic. The bill, as presented, is headed as being for "Certain non-knit gloves designed for use by auto mechanics", yet the proposed language for the tariff refers only to mechanics and has no mention of auto, automobile, vehicle, race car or other similar limiting term. As happened prior to the 12/31/09 expiration of a virtually identical bill, the lack of enforceable limiting language will allow glove manufacturers to make relatively inexpensive additions/adjustments to their gloves in order to qualify for a much more favorable duty rate, regardless of what the gloves will actually be used for.

S 2240	Bill should be rewritten as an extension for 9902.23.86.
S 2242	Subheading 1604.13.20 covers not only sardines (<i>Sardina pilchardus</i> and <i>Sardinops</i> spp.), but also sardinella (<i>Sardinella</i> spp.) and brisling or sprats (<i>Sprattus sprattus</i>). In order to avoid any potential misunderstanding of the scope of the proposed duty-free provision, we suggest that it be rewritten to make its intent unambiguous. If it is meant to include all the fish embraced by the subheading, it should also include the words "sardinella" and "brisling or sprats" in its language. If it is not meant to include these other fish, it should say something like ("but not including sardinella, brisling or sprats").
S 2264	Bill should be rewritten as an extension for 9902.23.88.
S 2265	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Bill description should be changed to "Insulated hydration systems with an outer surface of textile materials whose interior incorporates a flexible plastic container of a kind for storing and dispensing potable beverages through attached flexible tubing and for which the materials used to manufacture the plastic container walls must be made of United States origin (provided for in subheading 4202.92.04)."
S 2266	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Bill description should be changed to "Insulated hydration systems with an outer surface of textile materials whose interior incorporates a flexible plastic container of a kind for storing and dispensing potable beverages through attached flexible tubing and for which the materials used to manufacture the plastic container walls must be made of United States origin (provided for in subheading 4202.92.04)."
S 2267	As written, the bill cannot be administered given the inability to classify the product. The product description and reference HTS code for the product does not fit the actual product as described by the petitioner. The actual HTS code for the product is either 9031.90.54 or 9030.90.84, both for parts of semiconductor test apparatus, both of which have a tariff of zero. The HTS code in the petition is for the bare board with no components attached, which can be used in many types of equipment. If additional information is provided about the product, CBP can re-review the bill and determine, given the new information, if the bill can be administered.
S 2275	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Bill description should be changed to "Insulated hydration systems with an outer surface of textile materials whose interior

	incorporates a flexible plastic container of a kind for storing and dispensing potable beverages through attached flexible tubing and for which the materials used to manufacture the plastic container walls must be made of United States origin (provided for in subheading 4202.92.04)."
S 2301	HTS 3907.50.00 should be included in bill.
S 2313	Classification should be amended to read 2933.99.79.
S 2347	Correct chemical name as follows: "2-chloro-N-(2-ethyl-6-methylphenyl)-N-[(1S)-2-methoxy-1-methylethyl]acetamide".
S 2355	CBP requires a CAS number to determine the appropriate HTS number.
S 2357	Should be written as: "2-Cyclohexylidene-2-phenylacetone".
S 2358	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. The description of the merchandise is too vague and imprecise to be administered. The proposed provision reads "certain warp knit open-work fabric (provided for in subheading 6005.31.00)." However, the wording is not limiting and, as written, would allow ALL merchandise entered under HTS 6005.31.0010 to be imported duty-free. Bill description should be changed to the following: "Open-work warp knit fabrics (including those made on galloon knitting machines), other than those of headings 6001 to 6004, of synthetic fibers, unbleached or bleached, whose structure has bridging yarn structures in the fabric, for which origin and end of each individual bridging yarn are located on different chain yarns oriented in machine direction of the fabric." (DOC)
S 2364	As written, the bill cannot be administered. If the CAS number, chemical structure and use for both compounds are included in the product description, CBP can re-review the bill and determine, given the new information, if the bill can be administered.
S 2365	Delete 3824.90.92. CBP requires a CAS number and chemical name to determine the appropriate HTS number for the specific polyamide.
S 2366	Provide CAS number(s) and chemical name(s) for the specific polyester and solvent.
S 2368	As written, the bill cannot be administered. If the CAS number, chemical structure and use are included in the product description, CBP can re-review the bill and determine, given the new information, if the bill is administrable.
S 2369	Subheading 3920.10 is applicable to polyethylene film only when it is not laminated, reinforced or otherwise combined with other materials. According to description, the film is laminated to aluminum foil, precluding classification in 3920. Possible classification in 3921.90.40, but only if it is not backed aluminum foil of heading 7607.
S 2370	This should be rewritten to state "artificial flowers fitted with a pin or other minor fastening device", in order to be consistent with the wording of the Explanatory Notes for heading 6702.
S 2372	If the flowers are mounted onto a backing ring, then the classification would not be in heading 6702, but would be classified according to the constituent material of the backing ring, which is the functional tableware part of the item.

S 2377	Bill description should be altered to include the size of the book cover, not the size of the books it is intended to cover.
S 2378	Product description does not allow CBP to be certain that the item as described would be classified in heading 6307. Petitioner needs to consult with CBP over wording of product description.
S 2390	As written, the bill cannot be administered. NY CBP Laboratory could not find any information on CAS number 72828-82-1 as provided for Colour Index Name Acid Blue 234. However, we did find CAS number 12219-39-5 for this name. Classification is probably correct, but we would like an explanation of the given CAS number. It may be a specific salt of the dye, etc. Should the CAS number be correct, the chemical name of the product should be amended to read: "2-Anthracenesulfonic acid, 1-amino-9,10-dihydro-4-[[4-[[methyl[(4-methylphenyl)sulfonyl]amino]methyl]phenyl]amino]-9,10-dioxo-, monosodium salt." If the CAS number, chemical structure, use and Colour Index Name (if available) are included in the product description, CBP can re-review the bill and determine, given the new information, if the bill can be administered.
S 2414	In accordance to HTS Chapter 46, Note 1, the expression "paper material" should be changed to "paper strips."
S 2415	The goods have to meet the definition of the expression "plaiting materials" in Chapter 46, Note 1, HTS. Thus, if made of bamboo slats, the thickness should also be stated.
S 2422	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Delete the word "sport" from the title and section description of this bill and insert "athletic". The HTS number and corresponding description are correct as written. They do not pertain to "sports" footwear which is used to describe a specific type of footwear provided for elsewhere in the tariff schedule. (See Subheading note 1 to ch64). Leather upper <i>sports</i> footwear should be classified in 6403.12.30-6403.19.40.
S 2424	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Delete the word "sport" from the title and section description of this bill and insert "athletic". The HTS number and corresponding description are correct as written. They do not pertain to "sports" footwear which is used to describe a specific type of footwear provided for elsewhere in the tariff schedule. (See Subheading note 1 to ch64).
S 2426	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. HTS 6402.99.20 does not exist. Replace with HTS 6402.99.33.
S 2465	Swags, bouquets, wreaths, spray, garlands and picks are all arrangements. Are all provided for here of manmade materials? If so, how

	does this distinguish from S 2082, S 2083, S 2084 or S 2466? Provide definition of articles (i.e. swags, spray) in the product description in order to make the bills cover unique products. Additionally, include in product description information about the type of materials included in arrangements.
S 2466	Does this breakout provide solely for individual flowers or can they be assembled in some sort of arrangement? If the latter, how does this bill differ from S 2082, S 2083, S 2084 or S 2465? Please provide more detailed definition of products covered by bill and distinguish products covered under each bill. Bill description should be corrected from "to reduce" to "to suspend" given that the bill eliminates the duty. (DOC)
S 2471	Re Section 1.(a)(2) -- "(as in effect on December 31, 2001)" appears to be in the wrong position in the sentence. All the cited 9902 HTS numbers were in effect on that date, not just the first four. All six HTS numbers should be grouped together and then followed by "(as in effect on December 31, 2001)."
S 2480	The bill should use the term "manufacture" in its description in lieu of "for building". Distinction between extruding and building must be maintained. "Building" is misleading as it implies the hot feed extruding machine does more than just extrude. Extruders form rubber. A tire building machine ("TBM") is used to assemble previously manufactured components onto a tire building drum. Extruders are classified in the referenced subheading 8477.20 - TBMs are not. Product description must match referenced HTS number.
S 2484	All mention of HTS 4011 and its subheadings should be eliminated as these headings, for pneumatic tires, have no relationship to the devices cited in the bill. Description shown for the tires ("radial", "off-the-highway use" and "rim measuring 63.5 cm or more in diameter") is sufficient limiting language.
S 2490	Bill descriptions should be written to read: "Sector mold press machines to be used in production of radial tires designed for off-the-highway use, such tires measuring more than 100 inches in overall diameter (provided for in subheading 4011.20.10, 4011.61.00, 4011.63.00, 4011.69.00, 4011.92.00, 4011.94.40 or 4011.99.45), numerically controlled, and parts thereof (provided for in subheading 8477.51.00 or 8477.90.85)." (DOC)
S 2513	Should be written as: "Bicyclo[2.2.1]-hept-5-ene-2,3-dicarboxylic anhydride".
S 2521	Description is vague, when CBP uses the words "control", "automatic data processing" and "proprietary", CBP has a very particular/specific way of interpreting their meaning, and how it is applied to classification. Product description is problematic -- petitioner needs to consult with CBP over wording of product description.
S 2522	This bill could be written as an extension of provision 9902.22.93. The International Nonproprietary Name (INN), Vernakalant Hydrochloride, should be included in the product description. The product description could read: "Vernakalant Hydrochloride (3-Pyrrolidinol, 1-[(1R,2R)-2-[2-(3,4-dimethoxyphenyl)ethoxy]cyclohexyl]-,hydrochloride, (3R)) (CAS No. 748810-28-8) (provided for in subheading 2933.99.53)."
S 2536	As written, the bill cannot be administered. NY CBP Laboratory could not find any Colour Index name or number for this CAS number. While it looks like a chromophore structurally, we cannot classify the product with certainty. Requestor should identify the product by C.I. name and/or C.I. number or otherwise provide use information. Is this a tetrasodium salt of an acid dye with a different CAS

	number? If the CAS number, chemical structure, Colour Index Name (if available) and use are included in the product description, CBP can re-review the bill and determine, given the new information, if the bill can be administered.
S 2537	Add "(Pigment Orange 62)" after chemical name.
S 2538	Add name "Acid Blue 324" to item description, which should read as follows: "Acid Blue 324 (4-[[3-(Acetylamino)phenyl]amino]-1-amino-9,10-dihydro-9,10-dioxo-2-anthracenesulfonic acid, monosodium salt (CAS No. 70571-81-2) (provided for in subheading 3204.12.45)."
S 2543	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Footwear with uppers of leather is not classified in 6405.20.90 HTS. To be classified in 6405.20.90 HTS, the footwear would have outer soles of other than rubber, plastics, leather or composition leather. This subheading would include footwear with outer soles of textile, cork, twine, cordage, etc. To be classified in 6405.20.90 HTS, the footwear would have uppers made from a material other than of leather or composition leather, vegetable fibers (cotton etc.), or wool felt. This subheading would include footwear with uppers of textile materials of man-made origin such as polyester, nylon, etc. Footwear with uppers of leather and outer soles of rubber, plastics, leather or composition leather would be classified in 6403. Based on the product description of S 2543, the correct classification would be 6405.10.00, the same as S 2544. Only footwear with uppers of leather or composition leather and outer soles of textile, cork, twine, cordage, etc., and not rubber, plastics, leather or composition leather would be classified in 6405.10.00 HTS. However, if the bill is designed to cover 6405.20.90, please include the correct product description as listed above.
S 2545	In addition to the substantive objections to enactment of the bill as noted in the matrix, there are technical problems with the bill as set out below. Please note that making these technical corrections will not remove the Administration's substantive opposition to the bill. Wading boots are not sports footwear of 6403.19.40 HTS. Wading boots with leather uppers/leather outer sole are classified as 6403.51.60 and 6403.51.90 HTS. Wading boots with leather uppers/outer soles-other than leather are classified as 6403.91.60 and 6403.91.90 HTS.
S 2551	Legislation should be rewritten as two separate bills, one for the technical and another for the formulation. The two bills should have separate, unique chapter 99 numbers. (DOC)
S 2567	Petitioner informed DOC that the correct corresponding CAS numbers are Carbon – 68525-80-4 and Coal tar pitch – 65996-93-2. These numbers should be added to the bill. (DOC)
S 2569	The bill incorrectly spells the chemical compound. It should be written as methyl methoxyacetate.
S 2574	Classification should be changed to 2935.00.95.
S 2575	Ethyl 3-amino-4,4,4-trifluorocrotonate misspelled should be (Ethyl 3-amino-4,4,4-trifluorocrotonate).

S 2599	The term "bush" is not defined in the tariff schedule and there is no provision that references the word "bush" in heading 6702 or in any of the subheadings under that heading. The term "bush" would have to be defined in this bill, so as to enable distinction between the configurations of artificial flowers that would fall under the purview of this bill from other configurations of artificial flowers that would not fall under the purview of this bill.
S 2600	The term "bush" is not defined in the tariff schedule and there is no provision that references the word "bush" in heading 6702 or any of the subheadings under that heading. The term "bush" would have to be defined in this bill, so as to enable distinction between the configurations of artificial flowers that would fall under the purview of this bill from other configurations of artificial flowers that would not fall under the purview of this bill.
S 2631	Bill description should be rewritten as follows: "Indoor/Outdoor programmable and countdown time switches for greater than 60 minute control, valued over \$5 each (provided for in subheading 9107.00.80)."
S 2634	Sensor switches are classified in various subheadings of the tariff and the intent of this bill is unclear as to what type of "occupancy sensor switch" it is intended for. Additional details should be included in bill description.
S 2636	This bill cannot be administered, as there is no legal definition for stage lights or theatrical lighting. Ceiling or wall lighting is specifically provided for under subheading 9405.10.40, not 9405.40.60. If technical corrections to the bill were to include a legal definition of theatrical lighting, CBP could re-review to determine, given the new information, if the bill can be administered.
S 2637	There is no legal definition for stage lights or theatrical lighting. This bill should be limited to LED nightlights of plastic.
S 2642	Change "man-made shells" to "shells used in the manufacture of sleeping bags, of man-made fibers." Bill description should be amended to read "used in the manufacture of sleeping bags valued at \$5.00 or less per shell." (DOC)
S 2643	CAS number and chemical name needed to determine HTS number for the specific polyethylene.
S 2654	Lanthanum phosphate phosphor activated by cerium and terbium would most likely be classified under HTS 2846.90.8000 as per HQ963844. A complete laboratory analysis of the chemical composition would be necessary for a definitive classification decision. Please see the exclusions in the ENs for heading 3206: the heading does not cover products answering to descriptions in headings 28.43 to 28.46 and 28.52 (e.g., a mixture of yttrium oxide and europium oxide), however put up and whatever their intended use. Bill is duplicated by S. 1922.
S 2660	Based on the information submitted to CBP, the yttrium oxide phosphor would most likely be classified under HTS 2846.90.8000 as per HQ963844. A complete laboratory analysis of the chemical composition would be necessary for a definitive classification decision. Please see the exclusions in the ENs for heading 3206: the heading does not cover products answering to descriptions in headings 28.43 to 28.46 and 28.52 (e.g., a mixture of yttrium oxide and europium oxide), however put up and whatever their intended use. Bill is duplicated by S. 1899.
S 2672	Both CAS numbers are not correctly assigned and one is incorrect. USITC Bill Report of June 13, 2008, for Bill H.R. 4753 (110th Congress), p. 1, describes the product as a mixture of inorganic copper compounds. However, the proposed item description is unclear regarding that fact. If this is indeed a mixture, it is recommended the item description be rewritten as: "Mixtures of copper oxychloride

	(CAS No. 1332–40–7) and copper hydroxide (CAS No. 20427-59-2) (provided for in subheading 3808.92.30)."
S 2673	The products under the bill have to meet the definition of the expression "plaiting materials" in Chapter 46, Note 1, HTS. The expressions "paper rope" and "paper materials" need to be clarified. If these terms are to mean "paper yarn," the provision should so state. If these terms are to mean "paper strips" (whether or not folded but not twisted or rolled), the provision should so state.
S 2692	TBD Bill description should read " laminated film with outer layers of polyethylene sandwiched around a printed nylon inner layer, with or without an additional saran inner layer; or laminated film of polyethylene with printed nylon inner layer for use in aseptic bag manufacture," classifiable in 3920.10.00.
S 2698	Because of some confusion with the Colour Index name attached to this colorant, recommend changing the article description as follows: "Bisbenzimidazol[2,1-b:2',1'i]benzo[lmn][3,8] phenanthroline-8, 17-dione (Pigment Orange 43, or Hostaperm Orange GR, or Vat Orange 7; Colour Index 71105) (CAS number 4424-06-0) (provided for in subheading 3204.15.20)."
S 2704	While NY CBP Laboratory could not find any Colour Index name or number for this CAS number, research indicates that this product is Pigment Orange 74. Add "(Pigment Orange 74)" after the chemical name. Chemical name and classification are correct.
S 2705	Add "(Pigment Yellow 191)" after chemical name.
S 2706	Add "(Pigment Yellow 180)" after chemical name.
S 2707	Add "(Pigment Yellow 97)" after chemical name.
S 2708	Add "(Pigment Yellow 194)" after chemical name.
S 2709	Add "(Pigment Yellow 151)" after chemical name.