

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: August 28, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4902 (Mr. Nick Lampson of Texas).

**Proponent name,<sup>3</sup> location:** Akzo Nobel Polymer Chemicals LLC, Chicago, IL.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

Dimyristyl peroxydicarbonate (CAS No. 53220-22-7) (provided for in subheading 2920.90.50).

**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 product is an organic peroxide that is used as an initiator in the polymerization of vinyl chloride. The product is imported from China and Germany.

**Estimated effect on customs revenue:**

HTS subheading: <u>2920.90.50</u>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Customs revenue loss	\$18,500	\$18,500	\$18,500	\$18,500	\$18,500

Source of estimated dutiable import data: Commission and U.S. industry estimates.

<sup>1</sup> Industry analyst preparing report: Larry Johnson (202-205-3351); Tariff Affairs contact: Dave Michels (202-205-3440).

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

<sup>3</sup> The sponsor/proponent identified one additional beneficiary of this bill. USITC staff sent an inquiry to the named beneficiary and received no response.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Akzo Nobel Polymer Chemicals LLC (Proponent) Robin Hall, 312-544-7187 Susan McColley, 202-639-7831	06/19/2008	No	No	No
American Chemistry Council Jean Vallianos, 703-741-5610	06/19/2008	No	No	No
Arkema, Inc. Charles Kitchen, 215-419-7615	06/19/2008	No	No	No
BASF Corporation Gregory Thies, gregory.thies@basf.com	06/19/2008	No	No	No
Bayer Corporation Karen Niedermeyer, 412-777-2058	06/19/2008	No	No	No
DuPont Helen McMahon, 302-992-2263	06/19/2008	No	No	No
Efficient Global Trade, Incorporated Henry Stobenau, 215-628-4919	06/19/2008	No	No	No
Evonik Industries Ron Birnbaum, 973-541-8391	06/19/2008	No	No	No
ExxonMobil Chemical Company Russ Spiller, 281-834-5518	06/19/2008	No	No	No
LANXESS Corporation Jamie Schaeffer, 412-809-3666	06/19/2008	No	No	No
OXEA Corporation Don Raff, 361-584-6568	06/19/2008	No	No	No
Occidental Chemical Corporation Mihir Patel, Mihir_I_Patel@oxy.com	06/19/2008	No	No	No
Pergan Marshall LLC Randy Kay, 903-934-7746	06/19/2008	No	No	No
Sigma-Aldrich Company Mark Eisold, 414-438-3850	06/19/2008	No	No	No
Solutia Incorporated Kassie D. Wooton, 314-674-3297	06/19/2008	No	No	No
Syrgis Performance Products Susan Jones, 870-572-3610	06/19/2008	No	No	No

**Technical comments:<sup>4</sup>**

<sup>4</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.

The Commission staff recommends that the article description on page 1 of this report be used in the proposed new heading in order to use a lower case “p” in peroxydicarbonate, and to provide the correct HTS classification.

110TH CONGRESS  
1ST SESSION

# H. R. 4902

To suspend temporarily the duty on Dimyristyl Peroxydicarbonate.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2007

Mr. LAMPSON 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 Dimyristyl  
Peroxydicarbonate.

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. DIMYRISTYL PEROXYDICARBONATE.**

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.____	Dimyristyl Peroxydicarbonate (CAS No. 53220–22–7) (provided for in subheading 2917.19.7050) .....	Free	No change	No change	On or before 12/31/2011	”.
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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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