

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: June 19, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5077 (Mr. Tim Murphy of Pennsylvania).

**Proponent name,<sup>3</sup> location:** Bayer MaterialScience, Pittsburgh, PA.

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

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

**Retroactive effect:** None.

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

Methyl o-toluenesulfonate (CAS No. 23373-38-8) and methyl p-toluenesulfonate (CAS No. 80-48-8)  
(provided for in subheading 2904.90.40).

**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, a synthetic organic chemical, is an isomeric mixture that is used as an additive in the production of several products known as “trimmers,” each of which is a slightly different type of aliphatic isocyanate that are used in urethane applications such as automotive paints, architectural coatings, and other resin systems for automotive and coating applications. The product is imported from India and Germany.

<sup>1</sup> Industry analyst preparing report: Jeff Clark (202-205-3318); Tariff Affairs contact: David 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 did not identify any additional beneficiaries of this bill.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2904.90.40</b>					
<del> </del>	2009	2010	2011	2012	2013
Col. 1-General rate of duty	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000
Customs revenue loss 1/	\$0	\$22,000	\$22,000	\$22,000	\$22,000

1/ There is an existing duty suspension under HTS heading 9902.11.85 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009.

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

**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)		
Bayer MaterialScience (Proponent) Karen Niedermeyer, Fax: 412-777-4740 Julie Van Egmond, Fax: 202-737-8909	4/17/2008	No	No	No
Abbott Laboratories Elaine Leavenworth, Fax: 202-783-6631	4/17/2008	No	No	No
American Chemistry Council Marty Durbin, Fax: 703-741-6097	4/17/2008	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	4/17/2008	No	No	No
Biddle Sawyer Corp. William Thonack, Fax: 212-239-1089	4/17/2008	No	No	No
Chemtura Matt Mattingley, Fax: 202-463-8497 Lloyd Moon, Fax: 203-573-2686	4/17/2008	No	No	No
Ciba Specialty Chemicals Corp. Robert Hurley, Fax: 202-289-3588 Michelle Forte, Fax: 914-785-4831	4/17/2008	No	No	No
Clariant Corporation Andrew Zamoyiski, Fax: 202-248-9043	4/17/2008	No	No	No
Dow Chemical Lisa Schroeter, Fax: 202-429-3467	4/17/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Dupont Helen McMahon, Fax: 302-355-2994	4/17/2008	No	No	No
Eastman Chemical Company Greg Riddle, Fax: 212-835-1621	4/17/2008	No	No	No
Emerald Performance Materials, LLC Tom Dirmyer, Fax: 330-315-6480	4/17/2008	No	No	No
GlaxoSmithKline William Schuyler, Fax: 202-715-1001	4/17/2008	No	No	No
Honeywell International Art Simonetti, Fax: 202-662-2675	4/17/2008	No	No	No
Lonza, Inc. Cheryl Prescott, Fax: 201-696-3558	4/17/2008	No	No	No
Monsanto Grant Erdel, Fax: 202-789-1867	4/17/2008	No	No	No
Perstop Polyols, Inc. Jeff Jones, Fax: 419-729-3291	4/17/2008	No	No	No
Rhodia Dominick Cangiano, Fax: 609-860-2256	4/17/2008	No	No	No
Solutia Kassie Wooton, Fax: 314-674-1585	4/17/2008	No	No	No
Tennant Co. Mary Heie, Fax: 763-513-1808	4/17/2008	No	No	No
Total Specialty Chemicals, Inc. Tad Acker, Fax: 203-966-1505	4/17/2008	No	No	No
Union Carbide Jim Murray, Fax: 202-347-1684	4/17/2008	No	No	No

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

The Commission staff suggests that the article description on page 1 of this report be used in heading 9902.11.85 because it contains a clearer chemical name and the correct HTS subheading reference.

<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.

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5077

To extend the suspension of duty on TSME.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2008

Mr. TIM MURPHY of Pennsylvania introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To extend the suspension of duty on TSME.

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. TSME.**

4 (a) **IN GENERAL.**—Heading 9902.11.85 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 ortho/para-Toluenesulfonic acid, methyl ester (TSME)) is  
7 amended by striking “12/31/2009” and inserting “12/31/  
8 2011”.

9 (b) **EFFECTIVE DATE.**—The amendment made by  
10 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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