

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: June 19, 2008]²

Bill No. and sponsor: H.R. 5070 (Mr. Tim Murphy of Pennsylvania).

Proponent name,³ location: Bayer MaterialScience, Pittsburgh, PA.

Other bills on product (110th 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)):

Pentaerythritol tris (3-(1-aziridinyl) propionate (CAS No. 57116-45-7) (provided for in subheading 2933.99.97).

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 a synthetic organic chemical that is used as a crosslinker in the finishing and adhesive industries. It improves the final properties of the materials used in many adhesive, coating, and printing applications. The product is imported from Japan.

Estimated effect on customs revenue:

| HTS subheading: <u>2933.99.97</u> | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|
| | 2009 | 2010 | 2011 | 2012 | 2013 |
| Col. 1-General rate of duty | | | | | |
| Col. 1-General rate of duty | 6.5% | 6.5% | 6.5% | 6.5% | 6.5% |
| Estimated value <i>dutiable</i> imports | \$1,600,000 | \$1,600,000 | \$1,700,000 | \$1,700,000 | \$1,700,000 |
| Customs revenue loss 1/ | \$0 | \$104,000 | \$110,500 | \$110,500 | \$110,500 |

1/ There is an existing duty suspension under HTS heading 9902.11.88 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):

¹ Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

| 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, karen.niedermeyer.b@bayer.com | 04/24/2008 | No | No | No |
| Chemtura Matt Mattingley, Fax: 202-463-8497 | 04/25/2008 | No | No | No |
| Eastman Chemical Company Greg Riddle, Fax: 212-835-1621 | 04/25/2008 | No | No | No |
| GlaxoSmithKline William Schuyler, Fax: 202-715-1001 | 04/25/2008 | No | No | No |
| Lonza, Inc. Cheryl Prescott, Fax: 201-696-3558 | 04/25/2008 | No | No | No |
| Monsanto Grant Erdel, Fax: 202-789-1867 | 04/25/2008 | No | No | No |
| Perstorp Polyols, Inc. Jeff Jones, Fax: 419-729-3291 | 04/25/2008 | No | No | No |
| Tennant Company Mary Heie, Fax: 763-513-1808 | 04/25/2008 | No | No | No |
| Total Specialty Chemicals, Inc. Tad Acker, Fax: 203-966-1505 | 04/25/2008 | No | No | No |
| Union Carbide Jim Murray, Fax: 202-347-1684 | 04/25/2008 | No | No | No |

Technical comments:⁴

The Commission staff notes that the current chemical description is vague and suggests that the article description on page 1 of this report be used in HTS heading 9902.11.88 in order to provide a more specific chemical name.

⁴ 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.

110TH CONGRESS
2D SESSION

H. R. 5070

To extend the suspension of duty on Polyfunctional aziridine.

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

A BILL

To extend the suspension of duty on Polyfunctional aziridine.

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. POLYFUNCTIONAL AZIRIDINE.**

4 (a) IN GENERAL.—Heading 9902.11.88 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Polyfunctional aziridine) is amended by striking “12/31/
7 2009” and inserting “12/31/2011”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from
10 warehouse for consumption, on or after the 15th day after
11 the date of the enactment of this Act.