

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress ¹**

[Date approved: June 19, 2008]²

Bill No. and sponsor: H.R. 5082 (Mr. Tim Murphy of Pennsylvania).

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

Other bills on product (110th 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)):

None.

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, dissolved in a colorless to light yellow liquid, is used as a hardener in automotive, can, and coil coatings. It is imported from Germany.

Estimated effect on customs revenue:

HTS subheading: <u>3911.90.90</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	\$930,214	\$962,772	\$996,469	\$1,031,345	\$1,082,912
Customs revenue loss	\$60,464	\$62,580	\$64,770	\$67,037	\$70,389

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

¹ Industry analyst preparing report: Andrew Gately (202-205-3437); 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.

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?
Bayer MaterialScience (Proponent) Karen Niedermeyer, karen.niedermeyer.b@bayer.com	04/23/2008 04/24/2008 04/28/2008	No	No	No
3M Megan Ivory, mmivory@mmm.com	04/29/2008	No	No	No
Anderson Development Corporation Steve Van Allsdale, Fax: 517-263-1000	04/29/2008	No	No	No
Chemtura Matt Mattingley, Fax: 202-463-8497	04/29/2008	No	No	No
Cytec Industries Bud Equi, bud.equi@cytec.com	04/29/2008	No	No	No
Dupont Helen McMahon, Fax: 302-355-2944	04/29/2008	No	No	No
Eastman Chemical Company Gregg Riddle, Fax: 212-835-1621	04/29/2008	No	No	No
Ferro John Glassmeyer, 216-641-8580	04/29/2008	No	No	No
Honeywell Art Simonetti, art.simonetti@honeywell.com	04/29/2008	No	No	No
Lonza, Inc. Cheryl Prescott, Fax: 201-696-3558	04/29/2008	No	No	No
Perstorp Polyols Jeff Jones, Fax: 419-729-3291	04/29/2008	No	No	No
Tennant Mary Heie, Fax: 763-513-1808	04/29/2008	No	No	No
Total Specialty Chemicals Tad Acker, Fax: 203-966-1505	04/29/2008	No	No	No
Union Carbide Jim Murray, Fax: 202-347-1684	04/29/2008	No	No	No

Technical comments:⁴

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.

The Commission staff believes that this bill cannot be administered by Customs and Border Protection because the article description only contains a company product name. The bill needs to be rewritten to include a proper chemical name and a CAS registry number.

110TH CONGRESS
2D SESSION

H. R. 5082

To suspend temporarily the duty on Desmodur VP LS 2253/1.

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 suspend temporarily the duty on Desmodur VP LS 2253/1.

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. DESMODUR VP LS 2253/1.**

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:

“	9902.01.00	Desmodur VP LS 2253/1 (provided for in subheading 3911.90.90)	Free	No change	No change	On or before 12/31/2011	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 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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