

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: March 17, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 3277 (Mr. Marion Berry of Arkansas).

**Proponent name,<sup>3</sup> location:** Ciba Specialty Chemicals, Tarrytown, NY.

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

**Nature of bill:** Temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

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

Butanedioic acid, dimethyl ester, polymer with 4-hydroxy-2,2,6,6,-tetramethyl-1-piperidineethanol (CAS No. 65447-77-0) (provided for in subheading 3907.99.01).

**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 an ultraviolet light (UV) stabilizer in plastics. The subject product is imported from Italy.

**Estimated effect on customs revenue:**

HTS subheading: <u>3907.99.01</u>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$3,360,157	\$3,360,157	\$3,360,157	\$3,360,157	\$3,360,157
Customs revenue loss 1/	\$0	\$218,410	\$218,410	\$218,410	\$218,410

1/ The estimated customs revenue loss for 2009 reflects the existing duty suspension under HTS heading 9902.10.47 that expires on December 31, 2009.

Source of estimated dutiable import data: Industry estimates.

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

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); 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.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Ciba Specialty Chemicals (Proponent) Vince Livoti Tel: 914-785-4494 <a href="mailto:vincent.livoti@ciba.com">vincent.livoti@ciba.com</a>	12/11/2007	No	No	No
Abbott Laboratories Elaine Leavenworth Fax: 202-783-6631	12/19/2007	No	No	No
Allegheny Color Corp. Mary Gallisdorfer Fax: 814-772-1559	12/19/2007	No	No	No
American Chemistry Council Jim O'Connor Fax: 703-741-6922	12/19/2007	No	No	No
Apollo Color, Inc. Dave Klebine Fax: 815-744-2599	12/19/2007	No	No	No
BASF Corp. Phil Webb Fax: 704-587-8252	12/19/2007	No	No	No
BASF Engelhard Steve Carmenisch Fax: 502-775-7205	12/19/2007	No	No	No
Bayer Corp. Karen Niedermeyer Fax: 412-777-4740	12/19/2007	No	No	No
Biddle Sawyer William Thonack Fax: 212-239-1089	12/19/2007	No	No	No
Blackman Uhler Jeter Starnes Fax: 864-596-1501	12/19/2007	No	No	No
CPMA Larry Robinson Fax: 703-684-1795	12/19/2007	No	No	No
Chemtura Lloyd Moon Fax: 203-573-4430	12/19/2007	No	No	No
Clariant Corp. Andrew Zamoyski Fax: 401-823-2700	12/19/2007	No	No	No
Day-Glo Corp. Richard Thompson Fax: 216-391-1408	12/19/2007	No	No	No
Diacolor-Pope, Inc. Norman Russo Fax: 973-279-1256	12/19/2007	No	No	No
DuPont Helen McMahon Fax: 302-774-1398	12/19/2007	No	No	No
Eastman Chemical Jorge San Pedro Fax: 703-524-7707	12/19/2007	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Fanwood Chemical Jim DeLisi Fax: 908-322-8494	12/19/2007	No	No	No
Galaxie Chemical Corp. Michael Santoro, Jr. Fax: 973-790-7104	12/19/2007	No	No	No
Honeywell International Art Simonetti Fax: 202-662-2675	12/19/2007	No	No	No
LANXESS Corporation Jamie B. Schaeffer Fax: 412-809-3614	12/19/2007	No	No	No
Magruder Color Co., Inc. Evan Weissglass Fax: 973-242-4087	12/19/2007	No	No	No
Mason Color Works Ann Mason Herdman Fax: 330-385-4488	12/19/2007	No	No	No
Monsanto Corporation Linda Strahan Fax: 202-789-1867	12/19/2007	No	No	No
National Paint & Coatings Assn. Bob Branand Fax: 202-546-3959	12/19/2007	No	No	No
Nation Ford Chemical Co. (NFC) John Dickson Fax: 803-548-2683	12/19/2007	No	No	No
Noveon Tom Dirmyer Fax: 216-447-5720	12/19/2007	No	No	No
PMC Specialties Group, Inc. Gordon McCullough Fax: 513-482-7884	12/19/2007	No	No	No
Rhodia Inc. Dominick Cangiana Fax: 609-860-1842	12/19/2007	No	No	No
Roma Color, Inc. Stuart Booth Fax: 508-676-9011	12/19/2007	No	No	No
Solutia Sue Cannon Fax: 314-674-1585	12/19/2007	No	No	No
Sun Chemical Ed Faulkner Fax: 513-632-1531	12/19/2007	No	No	No

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

The Commission staff suggests that the existing heading, 9902.10.47, be used for the duty suspension for

<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 subject product.

110TH CONGRESS  
1ST SESSION

# H. R. 3277

To suspend temporarily the duty on butanedioic acid, dimethylester, polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperidine ethanol.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2007

Mr. BERRY 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 butanedioic acid, dimethylester, polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperidine ethanol.

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. BUTANEDIOIC ACID, DIMETHYLESTER, POLY-**  
4 **MER WITH 4-HYDROXY-2,2,6,6-TETRAMETHYL-**  
5 **1-PIPERIDINE ETHANOL.**

6 (a) IN GENERAL.—Subchapter II of chapter 99 of  
7 the Harmonized Tariff Schedule of the United States is  
8 amended by inserting in numerical sequence the following  
9 new heading:

“	9902.03.93	Butanedioic acid, dimethylester, polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperidine ethanol (provided for in sub-heading 3907.99.0050) .....	Free	No change	No change	On or before 12/31/2009	”.
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1           (b) **EFFECTIVE DATE.**—The amendment made by  
2 subsection (a) applies to goods entered, or withdrawn from  
3 warehouse for consumption, on or after the 15th day after  
4 the date of enactment of this Act.

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