

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 10, 2008]²

Bill No. and sponsor: H.R. 4679 (Mr. Richard E. Neal of Massachusetts).

Proponent name,³ location: Solutia Inc., St. Louis, MO.

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)):

4,4-Dithiodimorpholine (CAS No. 103-34-4) (provided for in subheading 2934.99.90).

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 synthetic organic chemical, commonly known as DTDM, is used to provide improved resistance to reversion and heat aging in rubber products. It is imported from the Netherlands, France, Japan, Spain, and China.

¹ Industry analyst preparing report: Robert Randall (202-205-3366); 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 identified five additional beneficiaries of this bill. USITC staff sent inquiries to the additional beneficiaries and received responses from four. Two submitted written representations that they would benefit from this bill.

Estimated effect on customs revenue:

HTS subheading: 2934.99.90					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$2,827,000	\$2,900,000	\$2,974,000	\$3,049,000	\$3,125,000
Customs revenue loss <u>1/</u>	\$0	\$188,500	\$193,310	\$198,185	\$203,125

1/ There is an existing duty suspension under HTS heading 9902.22.27 that expires December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 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?
Solutia Inc. (Proponent) Robert Hurley, rhurley@theaccordgroup.com	4/15/2008	No	No	No
Afton Chemical Corp. Janis Gleeson, 804-788-5600	4/15/2008	No	No	No
Akrochem Donna Quinn, 330-535-2100	4/15/2008	No	No	No
American Chemistry Council Marty Durbin, Fax: 703-741-6097	4/25/2008	No	No	No
America's International Inc. Wayne Stair, 330-920-9330	4/15/2008	No	No	No
Apollo Color, Inc. Dave Klebine, Fax: 815-741-2599	4/25/2008	No	No	No
BASF Greg Thies, Fax: 202-558-5101	4/25/2008	No	No	No
Bayer Chemicals Karen L. Niedermeyer, Fax: 412-777-4740 Julie Van Egmund, Fax: 202-737-8909	4/25/2008	No	No	No
Biddle Sawyer William Thonack, Fax: 212-239-1089	4/25/2008	No	No	No
Chemtura Corp. Matt Mattingley, Fax: 202-463-8497	4/25/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Ciba Specialty Chemicals Robert Hurley, Fax: 202-289-3588	4/25/2008	No	No	No
Clariant Corp. Andy Zamoyksi, Fax: 202-248-9043	4/25/2008	No	No	No
CPH Solutions Corp. Nancy Naser, 312-554-7412	4/15/2008	No	No	No
Dow Chemical Company Lisa Schroeter, 202-429-3467	4/25/2008	No	No	No
DuPont Helen C. McMahon, Fax: 302-355-2994	4/25/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	4/25/2008	No	No	No
Galaxie Chemical Corp. Michael Santoro, Jr., Fax: 973-790-7104	4/25/2008	No	No	No
Honeywell Art Simonetti, Fax: 202-662-2675	4/25/2008	No	No	No
Huntsman Corp. John Deming, Fax: 302-479-5499	4/25/2008	No	No	No
LANXESS Corp. Todd Portzline, 800-526-9377	4/15/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	4/25/2008	No	No	No
PMC Inc. Gordon McCollough, Fax: 513-482-7884	4/25/2008	No	No	No
Prochemie International, Inc. Mary Ann Reston, 860-683-8500	4/15/2008	No	No	No
Rhein Chemie Todd Portzline, 800-526-9377	4/15/2008	No	No	No
R.T. Vanderbilt Company Gregg Florre, 800-243-6064	4/15/2008	No	No	No
Sovereign Chemical Co. Samuel DiPaola, 330-869-0550	4/15/2008	No	No	No
Sun Chemical Corp. Steve Schmidt, Fax: 513-681-4960	4/25/2008	No	No	No
Tannin Corp. Robert Thompson, 978-532-4010	4/15/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Western Reserve Chemical Corp. John Rylander, 330-650-2244	4/15/2008	No	No	No

Technical comments:⁴

The Commission staff notes that HTS heading 9902.22.27 contains an incorrect HTS subheading reference. The subject product is classified in HTS subheading 2934.99.90.⁵ The Commission staff suggests that the article description of heading 9902.22.27 be amended by deleting "2930.90.91" and inserting "2934.99.90".

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.

⁵ USITC staff conversation with Mr. Richard Dunkel, CBP National Import Specialist, on May 11, 2007. Also, see CBP HQ ruling 960979, dated March 16, 1998.

110TH CONGRESS
1ST SESSION

H. R. 4679

To extend the temporary suspension of duty on
4,4-Dithiodimorpholine.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. NEAL of Massachusetts introduced the following bill; which was referred
to the Committee on Ways and Means

A BILL

To extend the temporary suspension of duty on
4,4-Dithiodimorpholine.

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. 4,4-DITHIODIMORPHOLINE.**

4 (a) IN GENERAL.—Heading 9902.22.27 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 4,4-Dithiodimorpholine) is amended by striking the date
7 in the effective period column and inserting “12/31/2011”.

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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