

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: July 3, 2008]²

Bill No. and sponsor: H.R. 5054 (Mr. Scott Garrett of New Jersey).

Proponent name,³ location: Lonza Inc., Allendale, NJ.

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)):

Phenol, polymer with 3a,4,7,7a-tetrahydro-4,7-methano-1H-indene, cyanate (CAS No. 119505-06-5)
(provided for in subheading 3911.90.45).

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 high-performance multifunctional oligomeric cyanate resin that is based on non-polar hydrocarbons. It is used in high-performance composite structures, electrical laminates, structural adhesives, and space applications. The product cures catalytically via cyclotrimerization to form a triazine ring structure that can be used at temperatures of up to 400°C. The product is imported from Switzerland.

¹ Industry analyst preparing report: Ray Cantrell (202-205-3362); 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.

Estimated effect on customs revenue:

HTS subheading: 3911.90.45					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	5.8%	5.8%	5.8%	5.8%	5.8%
Estimated value <i>dutiable</i> imports	\$1,500,000	\$2,000,000	\$2,500,000	\$3,000,000	\$3,500,000
Customs revenue loss	\$87,000	\$116,000	\$145,000	\$174,000	\$203,000

Source of estimated dutiable import data: Commission and 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)		
Lonza, Inc. (Proponent) Sajal Das, 201-316-9218 Gregory S. McCue, 202-429-6421	04/16/2008	No	No	No
Arkema, Inc. Charles Kitchen, 215-419-7615	04/18/2008	No	No	No
Air Products and Chemicals, Inc. Steven Belaus, 610-481-4979	04/21/2008	No	No	No
BASF Corporation Gregory Thies, gregory.thies@basf.com	04/18/2008	No	No	No
Bayer Corporation Karen Niedermeyer, 412-777-2058	04/18/2008	No	No	No
DuPont Helen McMahon, 302-992-2263	04/17/2008	No	No	No
Efficient Global Trade, Incorporated Henry Stoebenau, 215-628-4919	04/21/2008	No	No	No
Evonik Industries Ron Birnbaum, 973-541-8391	04/21/2008	No	No	No
LANXESS Corporation Jamie Schaeffer, 412-809-3666	04/18/2008	No	No	No

Technical comments:⁴

The Commission staff suggests that the article description on page 1 be used in the proposed new heading in order to provide the complete 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. 5054

To suspend temporarily the duty on Polyphenolcyanate.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2008

Mr. GARRETT of New Jersey introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on Polyphenolcyanate.

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. POLYPHENOLCYANATE.**

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	Polyphenolcyanate (provided for in subheading 3911.90.45)	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 articles entered, or withdrawn

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

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