

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 26, 2008]²

Bill No. and sponsor: H.R. 5187 (Mrs. Carolyn B. Maloney of New York).

Proponent name,³ location: Mitsui & Co. (USA), Inc., New York, NY.

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)):

Magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) (CAS No. 11097-59-9) (provided for in subheading 2842.90.90); and magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) (CAS No. 11097-59-9) coated with stearic acid (CAS No. 57-11-4) (provided for in subheading 3812.30.90).

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 product is used as an acid scavenger for synthetic resin compositions. The product is imported from the Netherlands.

Estimated effect on customs revenue:

Total Estimated Revenue Loss for this Bill					
	2009	2010	2011	2012	2013
Customs revenue loss 1/	\$0	\$249,575	\$249,575	\$249,575	\$249,575

1/ There is an existing duty suspension under HTS heading 9902.05.32 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

¹ Industry analyst preparing report: Jack Greenblatt (202-205-3353); 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.

HTS subheading: 2842.90.90					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	3.3%	3.3%	3.3%	3.3%	3.3%
Estimated value <i>dutiable</i> imports	\$5,025,000	\$5,025,000	\$5,025,000	\$5,025,000	\$5,025,000
Customs revenue loss ^{1/}	\$0	\$165,825	\$165,825	\$165,825	\$165,825

^{1/} There is an existing duty suspension under HTS heading 9902.05.32 that expires on 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.

HTS subheading: 3812.30.90					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	5%	5%	5%	5%	5%
Estimated value <i>dutiable</i> imports	\$1,675,000	\$1,675,000	\$1,675,000	\$1,675,000	\$1,675,000
Customs revenue loss ^{1/}	\$0	\$83,750	\$83,750	\$83,750	\$83,750

^{1/} There is an existing duty suspension under HTS heading 9902.05.32 that expires on 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?
			(Yes/No)	
Mitsui & Co. (USA), Inc. (Proponent) Max Turnipseed, 225-338-0310	05/20/2008	No	No	No
Baerlocher USA Ken Kieffer, 513-482-6300	05/23/2008	No	No	No
Chemson Inc. Glen Atkinson, 215-365-1082	05/23/2008	No	No	No
Chemtura Corp. (formerly Crompton) Matt Mattingley, 202-841-5601	05/23/2008	No	No	No
Ferro Corp. Ron Raleigh, 216-641-8580	05/23/2008	No	No	No
Halstab (Div. of the Hammond Grp. Inc.) Ben Labovitz, 219-931-9360	05/23/2008	No	No	No
JM Huber Tong Chen, 678-247-7300	05/23/2008	No	No	No

Technical comments:⁴

The Commission staff recommends that the article description in HTS heading 9902.05.32 be modified as shown on page 1 of this report in order to clarify the article description, to provide the correct chemical names and to insert the correct CAS number.

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
2^D SESSION

H. R. 5187

To extend the temporary suspension of duty on Magnesium aluminum hydroxide carbonate hydrate.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2008

Mrs. MALONEY of New York introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To extend the temporary suspension of duty on Magnesium aluminum hydroxide carbonate hydrate.

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. MAGNESIUM ALUMINUM HYDROXIDE CAR-**
4 **BONATE HYDRATE.**

5 (a) IN GENERAL.—Heading 9902.05.32 of the Har-
6 monized Tariff Schedule of the United States (relating to
7 Magnesium aluminum hydroxide carbonate hydrate) is
8 amended by striking “12/31/2009” and inserting “12/31/
9 2011”.

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 the enactment of this Act.

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