

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 25, 2008]²

Bill No. and sponsor: H.R. 5314 (Mr. Christopher Shays of Connecticut).

Proponent name,³ location: Novamont, Ridgefield, Connecticut.

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)):

Polymer blend containing 1,4-benzenedicarboxylic acid dimethyl ester, polymerized with 1,4-butanediol and decanedioic acid (CAS No. 59914-11-3), starch, and glycerol (CAS No. 56-81-5) (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 biodegradable thermoplastic polyester polymer blend containing starch and plasticizers that is used in blow molding formulation applications for various bags and films. It is marketed as light yellow opaque solid pellets having a melting point starting at 110°C and a density of 1.24g/cc. The product is imported from Italy.

Estimated effect on customs revenue:

HTS subheading: 3907.99.01					
Col. 1-General rate of duty	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	\$3,000,000	\$4,000,000	\$5,000,000	\$6,000,000	\$7,000,000
Customs revenue loss	\$195,000	\$260,000	\$325,000	\$390,000	\$455,000

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

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.

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)	
Novamont (Proponent) Max Turnipseed, mctint@cox.net	05/14/2008	No	No	No
Archer Daniels Midland Company (ADM) Beth Holzman, 202-572-0580	05/14/2008	Yes	Yes	Yes
BASF Corporation Gregory A. Thies, gregory.thies@basf.com	05/14/2008	No	No	No
Bayer Corporation Karen Niedermeyer, 412-777-2058	05/14/2008	No	No	No
Dow Chemical Company Lisa Schroeter, 202-429-3400 Max Turnipseed, mctint@cox.net	05/14/2008	No	No	No
DuPont Elaine Olsen, 302-992-2263	05/14/2008	No	No	No
Efficient Global Trade, Incorporated Henry P. Stobenau, 215-628-4919	05/14/2008	No	No	No
King and Spalding, LLP Joseph W. Dorn Esq., 202-626-5445	05/14/2008	No	No	No
LANXESS Corporation Jamie Schaeffer, 412-809-3666	05/14/2008	No	No	No
NatureWorks LLC Jim Hobbs, 952-742-0434	05/14/2008	No	No	No

Technical comments:⁴

The Commission staff notes that the HTS subheading reference is incorrect and recommends that, as reflected on page 1 of this report, “3913.90.50” be deleted and “3907.99.01” be inserted in lieu thereof.

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. 5314

To suspend temporarily the duty on a thermoplastic biodegradable polymer blend.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2008

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

A BILL

To suspend temporarily the duty on a thermoplastic biodegradable polymer blend.

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. THERMOPLASTIC BIODEGRADABLE POLYMER**

4 **BLEND.**

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

“	9902.____	Polymer blend containing 1,4-benzenedicarboxylic acid dimethyl ester, polymerized with 1,4-butanediol and decanedioic acid (CAS No. 59914-11-3), starch, and glycerol (CAS No. 56-81-5) (provided for in subheading 3913.90.50)	Free	No change	No change	On or before 12/31/2011	”.
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1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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