

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 8, 2008]²

Bill No. and sponsor: H.R. 5368 (Mr. J. Gresham Barrett of South Carolina).

Proponent name,³ location: Fujifilm Manufacturing USA, Inc., Greenwood, SC.

Other bills on product (110th Congress only): None.

Nature of bill: Temporary duty suspension to December 31, 2011.

Retroactive effect: None.

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

Plates, sheets or strip of aluminum, the foregoing suitable for lithographic purposes, 0.2 mm or more but not over 0.4 mm in thickness, not clad, backed or coated (provided for in subheading 7606.91.30).

Check one: ___ Same as that in bill as introduced.
 X Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

According to the proponent, the products of interest are plates, sheets, or strip made from direct cast 1050 alloy litho aluminum, a rolled aluminum product with extremely tight tolerances for chemical composition, mechanical properties, dimensional properties, and surface quality. The proponent indicates that these flat-rolled aluminum products would be imported from Japan and Germany. Dutiable U.S. imports under HTS subheading 7606.91.30 (a broader category of goods than the proponent intends to cover by the bill⁴) totaled \$146.5 million in 2007, of which Germany accounted for \$86.1 million and Japan \$33 million in shipments.

¹ Industry analyst preparing report: Vincent DeSapio (202-205-3435); Tariff Affairs contact: Jan Summers (202-205-2605).

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.

⁴ The extent to which Customs may determine the scope of the proposed provision is narrower than the permanent tariff category is unknown.

Estimated effect on customs revenue:

HTS subheading: 7606.91.30					
 	2009	2010	2011	2012	2013
Col. 1-General rate of duty	3.0%	3.0%	3.0%	3.0%	3.0%
Estimated value <i>dutiable</i> imports	\$36,100,000	\$36,100,000	\$36,100,000	\$36,100,000	\$36,100,000
Customs revenue loss	\$1,083,000	\$1,083,000	\$1,083,000	\$1,083,000	\$1,083,000

Source of estimated dutiable import data: Industry estimates. The maximum revenue loss, if all dutiable imports under the applicable subheading were deemed by Customs to be “suitable for lithographic applications,” is approximately \$4,395,000 annually.

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)		
C&M Capitolink, representing Fujifilm Mfg. USA, Inc. (Proponent) Mike Gill (202-508-8843)	04/09/2008	No	No	No
Alcoa Corporation Russell Wisor (202-956-5306)	05/02/2008	No	No	No
The Aluminum Association J. Stephen Larkin (703-358-2965)	04/21/2008	No	No	No

Technical comments:⁵

According to the proponent, the sponsor is attempting to amend the bill to provide a duty reduction to 2.1 percent ad valorem, rather than a duty suspension. The article description as shown on page 1 represents information currently available from the proponent and shows that the correct HTS subheading for these products is 7606.91.30, not 7606.91.90. Import levels and resulting revenue loss data shown above also reflect this revised classification. Technical information supplied by the proponent’s representative on

⁵ 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 precise product of interest may still not be sufficiently specific to permit the scope of the proposed heading to be narrowed appropriately. Customs and Border Protection officials would need to interpret what constitutes products for lithographic applications, and would thereby face some administrative burdens from the bill.

110TH CONGRESS
2D SESSION

H. R. 5368

To suspend the duty on Aluminum (0.010" and thicker).

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2008

Mr. BARRETT of South Carolina introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend the duty on Aluminum (0.010" and thicker).

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. ALUMINUM (0.010" AND THICKER).**

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	Aluminum (o/than alloy), plates/sheets/strip, w/thick. o/ 0.2 mm, o/than rectangular (incl. sq), not clad (provided for in subheading 7606.91.90)	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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