

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 108th Congress ¹**

[Date approved: March 18, 2004]²

Bill No. and sponsor: H.R. 2099 (Mr. McNulty)

Proponent name, location: Schenectady International, Inc.
Schenectady, New York 12301

Other bills on product (108th Congress only): H.R. 2019

Nature of bill: Introduced as an extension of heading 9902.19.80, which expired on January 1, 2004

Retroactive effect: January 1, 2004.

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

2,4-Dicumylphenol (CAS No. 2772-45-4) (provided for in subheading 2907.19.80)

Check one: Same as that in bill as introduced
 Different from that in bill as introduced (explain differences in Technical comments section)

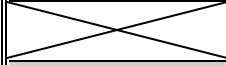
Product information, including uses/applications and source(s) of imports:

The chemical, 2,4-dicumylphenol (DCP), is an organic chemical intermediate used as an ultraviolet-light absorber in protective skin creams. The product imported by Schenectady is to be used in the production of UV-light absorbers for polycarbonate plastics, such as "Lexan," to prevent darkening or yellowing of the product owing to exposure to sunlight. Schenectady International imports this chemical from a subsidiary in Switzerland.

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Beck (202-205-2603).

² Access to an electronic copy of this memorandum is available at <http://www.usitc.gov/billrpts.htm> Access to a paper copy is available at the Commission's Law Library (202-205-3287) or at the Commission's Main Library (202-205-2630).

Estimated effect on customs revenue:

HTS subheading: 2907.19.80					
	2004	2005	2006	2007	2008
Col. 1-General rate of duty (AVE) ^{1/}	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	3,850,000	4,025,000	4,250,000	4,500,000	4,750,000
Customs revenue loss	\$211,750	\$221,375	\$233,750	\$247,500	\$261,250

^{1/} The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: Industry estimates and Commission estimates.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Schenectady International, Inc. Leslie Thiele of Whiteman Osterman & Hanna LLP (ph) 518-487-7636, (fax) 518-487-7777 e-mail: lthiele@woh.com	2/4/2004	No	No	No
Dover Chemical Corporation Tom Slam (ph) 303-343-7711, ext. 3666 e-mail: slam@doverchem.com	2/6/2004	No	No	No

Technical comments:³ Expired heading 9902.19.80 covered 2,4-dicumylphenol provided for in subheading “2907.19.20 or 2907.19.80”. In fact, the Commission is of the opinion that subheading 2907.19.20 is not an appropriate classification for this product. Reference to that subheading has, therefore, been deleted from the Suggested article description, above.

³ 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.

108TH CONGRESS
1ST SESSION

H. R. 2099

To extend the existing temporary duty suspension on 2,4-Dicumylphenol.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2003

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

A BILL

To extend the existing temporary duty suspension on 2,4-
Dicumylphenol.

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. 2,4-DICUMYLPHENOL.**

4 (a) AMENDMENT.—Heading 9902.19.80 of the Har-
5 monized Tariff Schedule of the United States is amended
6 in the effective period column by striking “2003” and in-
7 serting “2005”.

8 (b) RETROACTIVE APPLICATION.—If the date of the
9 enactment of this Act occurs on or after January 1, 2004,
10 then, notwithstanding section 514 of the Tariff Act of
11 1930 or any other provision of law, and upon proper re-

1 quest filed with the Bureau of Customs and Border Pro-
2 tection of the Department of Homeland Security within
3 180 days after the date of the enactment of this Act, any
4 entry, or withdrawal from warehouse for consumption, of
5 goods described in heading 9902.19.80 of the Harmonized
6 Tariff Schedule of the United States—

7 (1) which is made after December 31, 2003,
8 and before the date of the enactment of this Act,
9 and

10 (2) with respect to which there would have been
11 no duty if the amendment made by subsection (a)
12 applied to such entry or withdrawal,
13 shall be liquidated or reliquidated as if such amendment
14 applied to such entry or withdrawal.

○