

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: July 26, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 648 (Ms. Kaptur)

**Proponent name, location:** Perstorp Polyols, Inc.  
Toledo, OH 43612

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

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

Poly(oxy-1,2-ethanediyl),  $\alpha$ -((3-ethyl-3-oxetanyl) methyl)- $\omega$ -hydroxy- (CAS No. 76996-65-1) (provided for in subheading 3907.20.00).

**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 subject product described by the proponent as trimethylolpropane oxetane ethoxylate (TMPOE®) is a clear, colorless, low viscosity liquid polyether derivative. This experimental polymer is used to make inks and coatings that are cured using ultraviolet light, and also as a chemical building block. The product is imported from proponent's plant in Sweden.

<sup>1</sup> Industry analyst preparing report: Ray Cantrell (202-205-3362); Tariff Affairs contact: Dave Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: 3907.20.00</b>					
<del> </del>	2005	2006	2007	2008	2009
Col. 1-General rate of duty (AVE) <u>1/</u>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$350,000	\$420,000	\$490,000	\$560,000	\$630,000
Customs revenue loss	\$22,750	\$27,300	\$31,850	\$36,400	\$40,950

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: Commission and industry 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)		
Perstorp Polyols, Inc. (Proponent) Ms. Evelyn M. Suarez (202) 293-8116	6/5/2005	No	No	No
Ms. Marcy Kaptur (Sponsor) Ms. Jessica Roach (202) 225-4146	6/5/2005	No	No <u>1/</u>	No
American Plastics Council Ms. Jean M. Vallianos (703) 741-5610	6/7/2005	No	No	No
Avecia Limited (Crowell and Moring) Ms. Melissa Coyle (202) 624-2500	6/5/2005	No	No	No
Bayer Corporation Ms. Karen L. Niedermeyer (412) 777-2058	6/5/2005	No	No	No
LANXESS Corporation Mr. Seth Tomei (412) 809-3664	6/7/2005	No	Yes	No
Rohm and Haas Company Mr. Henry P. Stoebenau (215) 628-4919	6/5/2005	No	Yes	No
Solutia Inc. Mr. Bob Hurley (202) 289-9800	6/5/2005	No	No	No

1/ Ms. Roach submitted e-mail attachments provided on the identical bill (H.R. 1979, 108<sup>th</sup> Congress).

**Technical comments:**<sup>3</sup>

The Commission suggests that the article description on page 1 of this report be used in the proposed heading to provide for a correct chemical name.

The Commission also suggests that the phrase “No Change” be inserted in lieu of “Free” in the special subcolumn of the proposed new heading.

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<sup>3</sup> 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.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 648

To suspend temporarily the duty on TMPO Ethoxylate (TMPOE).

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2005

Ms. KAPTUR introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on TMPO Ethoxylate  
(TMPOE).

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. TMPO ETHOXYLATE (TMPOE).**

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:

“	9902.07.13	Ethoxylated Trimethylolprop- ane (TMPOE) (CAS No. 76996–65–1) (provided for in subheading 3907.20.00) .....	Free	Free	No change	On or before 12/31/2008	.”
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1       (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) applies with respect to goods entered, or  
3 withdrawn from warehouse for consumption, on or after  
4 the 15th day after the date of the enactment of this Act.

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