

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: November 8, 2005]²

Bill No. and sponsor: H.R. 2453 (Mr. Tim Murphy of Pennsylvania)

Proponent name, location: Bayer MaterialScience LLC, Pittsburgh, PA

Other bills on product (109th Congress only): S. 1470.

Nature of bill: Temporary duty suspension through December 31, 2009.

Retroactive effect: None.

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

Benzene, 1,3-diisocyanatomethyl-, polymer with 1,6-diisocyanatohexane (CAS No. 63368-95-6) dissolved in n-butyl acetate (provided for in subheading 3911.90.45)

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 product is a polyisocyanate copolymer solution of 55-65 percent solids dissolved in n-butyl acetate. This product provides fast-curing and drying of two-component polyurethane coatings for furniture and metal in the furniture and automotive industries. It is imported from Germany.

Estimated effect on customs revenue:

| HTS subheading: <u>3911.90.45</u> | | | | | |
|--|-----------|-----------|-----------|-----------|-----------|
| | 2005 | 2006 | 2007 | 2008 | 2009 |
| Col. 1-General rate of duty | 5.8% | 5.8% | 5.8% | 5.8% | 5.8% |
| Estimated value <i>dutiable</i> imports | \$280,000 | \$290,000 | \$300,000 | \$310,000 | \$320,000 |
| Customs revenue loss | \$16,240 | \$16,820 | \$17,400 | \$17,980 | \$18,560 |

Source of estimated dutiable import data: Commission and 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://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

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? |
|---|----------------|---|----------------------|-------------------|
| | | | | |
| Bayer MaterialScience LLC (Proponent) Ms. Karen L. Niedermeyer, 412-777-2058 Ms. Julie Van Egmond, 202-756-3773 | 09/13/2005 | No | No | No |
| BASF Corporation Mr. Greg Thies, 202-558-5100 | 09/16/2005 | No | No | No |
| Celanese Corporation Mr. Bob Carpenter, 202-637-3469 | 09/16/2005 | No | No | No |
| Dow Chemical Company Ms. Lisa Schroeter, 202-429-3400 Ms. Jan Neuenfeldt, 989-636-8427 | 09/16/2005 | No | No | No |
| DuPont Ms. Elaine M. Olsen, 302-992-2263 | 09/16/2005 | No | No | No |
| Efficient Global Trade, Inc. Mr. Henry P. Stoebenau, 215-628-4919 | 09/18/2005 | No | No | No |
| Huntsman Corporation Mr. Peter De Vries, peter_de_vries@huntsman.com | 09/16/2005 | No | No | No |
| LANXESS Corporation Mr. Seth Tomei, 412-809-3664 | 09/13/2005 | No | No | No |
| Lyondell Chemical Company Mr. Ted Gormanos, 713-309-2349 | 09/16/2005 | No | No | No |
| Solutia, Inc. Mr. Bob Hurley, 202-289-9800 | 09/16/2005 | No | No | No |

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide the proper chemical name.

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.

109TH CONGRESS
1ST SESSION

H. R. 2453

To suspend temporarily the duty on Desmodur HL.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2005

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

A BILL

To suspend temporarily the duty on Desmodur HL.

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. DESMODUR HL.**

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:

| | | | | | | | |
|---|------------|---|------|-----------|-----------|-------------------------|----|
| “ | 9902.05.70 | aromatic polyisocyanate based on toluene diisocyanate (TDI) and hexamethylene diisocyanate (HDI) dissolved in n-butyl acetate (CAS No. 63368-95-6) (provided for in sub-heading 3911.90.45) | Free | No change | No change | On or before 12/31/2009 | ”. |
|---|------------|---|------|-----------|-----------|-------------------------|----|

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 enactment of this Act.

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