

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: April 19, 2006]²

Bill No. and sponsor: H.R. 3214 (Mr. Steve Buyer of Indiana).

Proponent name, location: Dow Agrosiences LLC, Indianapolis, IN.

Other bills on product (109th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2008.

Retroactive effect: None.

Article description(s) (including appropriate HTS classification(s)):

2-Propenoic acid, polymer with diethenylbenzene (CAS No. 9052-45-3) (provided for in subheading 3914.00.60).

Check one: Same as in the HTS heading(s) in the bill as introduced.
 Different from the HTS heading(s) in the bill (see Technical comments).

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

2-Propenoic acid, polymer with diethenylbenzene is used as a cation exchange resin in industrial and consumer water purification systems. The subject product is imported from Italy.

Estimated effect on customs revenue:

| HTS subheading: <u>3914.00.60</u> | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|
| | 2005 | 2006 | 2007 | 2008 | 2009 |
| Col. 1-General rate of duty | | | | | |
| Col. 1-General rate of duty | 3.9% | 3.9% | 3.9% | 3.9% | 3.9% |
| Estimated value <i>dutiable</i> imports | \$600,000 | \$600,000 | \$600,000 | \$600,000 | \$600,000 |
| Customs revenue loss 1/ | \$23,400 | \$23,400 | \$23,400 | \$23,400 | \$23,400 |

1/ The estimated Customs revenue loss for 2005 and 2006 results from a temporary duty suspension under HTS heading 9902.02.95 that expires on December 31, 2006.

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

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave 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? |
|---|-------------------------|---|----------------------|-------------------|
| | | (Yes/No) | | |
| Dow Agrosiences LLC (Proponent) Max Turnipseed 225-338-0130 email: MCTINT@cox.net Lisa Schroeter Fax: 202-429-3467 | 10/31/2005 11/3/2005 | No | No | No |
| Abbott Laboratories Elaine Leavenworth Fax: 202-783-6631 | 11/3/2005 | No | No | No |
| American Chemistry Council Jim O'Connor Fax: 703-741-6922 | 11/3/2005 | No | No | No |
| AtoFina Cerex Charles Kitchin Fax: 703-527-2092 | 11/3/2005 | No | No | No |
| BASF Corp. Greg Thies Fax: 202-558-5101 | 11/3/2005 | No | No | No |
| Bayer Corp. Williams Hensley Fax: 202-737-8908 Karen Niedermeyer Fax: 412-777-4740 Julie Van Egmund Fax: 202-737-8908 | 11/3/2005 | No | No | No |
| Biddle Sawyer William Thonack Fax: 212-239-1089 | 11/3/2005 | No | No | No |
| Ciba Specialty Chemicals John Deming Fax: 302-479-5152 | 11/3/2005 | No | No | No |
| Clariant Corp. Andrew Zamoyski Fax: 401-823-2700 | 11/3/2005 | No | No | No |
| Crop Life America Lawrence Norton Fax: 202-463-0474 | 11/3/2005 | No | No | No |
| DuPont Helen McMahon Fax: 302-774-1398 | 11/3/2005 | No | No | No |
| Eastman Chemical Greg Riddle Fax: 703-524-7707 Jorge San Pedro Fax: 703-524-7707 | 11/3/2005 | No | No | No |
| FMC Corp. Jerry Prout Fax: 202-956-5235 | 11/3/2005 | No | No | No |
| Honeywell International Art Simonetti Fax: 202-662-2675 | 11/3/2005 | No | No | No |

| | | | | |
|---|-----------|----|----|----|
| LANXESS Corporation Jamie B. Schaeffer Fax: 412-809-3614 | 11/3/2005 | No | No | No |
| Monsanto Corporation Linda Strachan Fax: 202-789-1867 Michael Parrish Fax: 202-789-1867 | 11/3/2005 | No | No | No |
| Noveon Tom Dirmyer Fax: 216-447-5720 | 11/3/2005 | No | No | No |
| Rhodia Inc. Dominick Cangiana Fax: 609-860-1841 | 11/3/2005 | No | No | No |
| Solutia Sue Cannon Fax: 314-674-1585 Dan Jenkins Fax: 314-674-1585 | 11/3/2005 | No | No | No |
| Syngenta Mike Blythe Fax: 336-632-6084 | 11/3/2005 | No | No | No |
| Uniroyal Lloyd Moon Fax: 203-573-4430 | 11/3/2005 | No | No | No |
| Valent USA Robin Demouth Fax: 925-256-2776 | 11/3/2005 | No | No | No |

Technical comments:³ None.

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. 3214

To extend the temporary suspension of duty on 2-Propenoic acid, polymer with diethenylbenzene.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2005

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

A BILL

To extend the temporary suspension of duty on 2-Propenoic acid, polymer with diethenylbenzene.

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-PROPENOIC ACID, POLYMER WITH**
4 **DIETHENYLBENZENE.**

5 (a) IN GENERAL.—Heading 9902.02.95 of the Har-
6 monized Tariff Schedule of the United States (relating to
7 2-Propenoic acid, polymer with diethenylbenzene) is
8 amended by striking “12/31/2006” and inserting “12/31/
9 2008”.

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 the enactment of this Act.

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