

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 19, 2008]²

Bill No. and sponsor: H.R. 5074 (Mr. Tim Murphy of Pennsylvania).

Proponent name,³ location: Bayer MaterialScience, Pittsburgh, PA.

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

Nature of bill: Extension of temporary duty suspension through December 31, 2011.

Retroactive effect: None.

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

Mixtures of tris(4-isocyanatophenyl)thiophosphate (CAS No. 4151-51-3) (provided for in subheading 3824.90.28).

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 subject product is a synthetic organic chemical that is used as a cross-linking agent in adhesives that are based on polyurethane, natural rubber, or synthetic rubber. It is also used as an adhesion promoter on rubber-based substrates. The product is imported from Germany.

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: David G. Michels (202-205-3440).

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.

Estimated effect on customs revenue:

HTS subheading: 3824.90.28					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$679,000	\$702,000	\$727,000	\$752,000	\$775,000
Customs revenue loss 1/	\$0	\$45,630	\$47,255	\$48,880	\$50,375

1/ There is an existing duty suspension under HTS heading 9902.12.17 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

Source of estimated dutiable import data: U.S. industry estimates.

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?
Bayer MaterialScience (Proponent) Karen Niedermeyer, karen.niedermeyer.b@bayer.com	03/31/2008	No	No	No
Arkema Charles Kitchen, charles.kitchen@arkema.com	04/02/2008	No	No	No
BASF Gregory Thies, gregory.thies@basf.com	04/02/2008	No	No	No
CIBA Specialty Chemicals Michelle Forte, Michelle.forte@cibasc.com Robert Hurley, rhurley@theaccordgroup.com	04/02/2008	No	No	No
Clariant Corporation Andrew Zamoyski, az@azamoyski.com	04/02/2008	No	No	No
DuPont Helen McMahan, Helen.C.McMahon@USA.dupont.com	04/02/2008	No	No	No
LANXESS Corp. Jamie Schaeffer, jamie.schaeffer@lanxess.com	04/02/2008	No	No	No
Solvay Solexis, Inc. Max Turnipseed, mcint@cox.net	04/02/2008	No	No	No
Valent USA Robin Demouth, Robin.Demouth@valent.com	04/02/2008	No	No	No

Technical comments:⁴

The Commission staff recommends that the article description on page 1 of this report be used in heading 9902.12.17 in order to remove unnecessary language from the article description.

⁴ 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.

110TH CONGRESS
2D SESSION

H. R. 5074

To extend the suspension of duty on Desmodur RF-E.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2008

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

A BILL

To extend the suspension of duty on Desmodur RF-E.

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 RF-E.**

4 (a) IN GENERAL.—Heading 9902.12.17 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 mixtures of tris(4-isocyanatophenyl)thiophosphate and
7 ethyl acetate and monochlorobenzene as solvents) is
8 amended by striking “12/31/2009” and inserting “12/31/
9 2011”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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