

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: April 23, 2010]²

Bill No. and sponsor: S. 2063 (Mr. Thomas R. Carper of Delaware).

Proponent name,³ location: Ciba Corporation, Tarrytown, NY.

Other bills on product (111th Congress only): None.

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

Retroactive effect: None.

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

Mixture of 2-[4-[(2-hydroxy-3-dodecyloxypropyl)oxy]-2-hydroxyphenyl]-4,6-bis(2,4-dimethylphenyl)-1,3,5-triazine and 2-[4-[(2-hydroxy-3-tridecyloxypropyl)oxy]-2-hydroxyphenyl]-4,6-bis(2,4-dimethylphenyl)-1,3,5-triazine (CAS No. 153519-44-9) in propylene glycol monomethyl ether (provided for in subheading 3812.30.90).

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 an ultra-violet (UV) absorber to improve the performance of coatings. The product is imported from Switzerland.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3812.30.90:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	5%	5%	5%	5%	5%
Estimated value <i>dutiable</i> imports ^a	\$1,400,000	\$1,500,000	\$1,600,000	\$1,700,000	\$1,850,000
Customs revenue loss ^b	\$70,000	\$75,000	\$80,000	\$85,000	\$92,500

a/ Dutiable import estimates were based on official U.S. Government statistics and import estimates provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

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/tariff_affairs/congress_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

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?
			(Yes/No)	
Ciba Corporation (Proponent) Bob Hurley, rhurley@theaccordgroup.com Michelle Forte, Michelle.forte@cibasc.com	11/25/2009	No	No	No
BASF Gregory A. Thies, gregory.thies@basf.com	12/1/2009	No	No	No
Bayer Corp. Mike Gill, mgill@crowell.com	12/1/2009	No	No	No
Bayer Corp. Karen Niedermeyer, karen.niedermeyer.b@bayer.com	12/1/2009	No	No	No
Bayer Corp. Julie Van Egmond, julie.van_egmond@bayerbms.com	12/1/2009	No	No	No
Clariant Andrew Zamoyski, az@azamoyski.com	12/1/2009	No	No	No
Chemtura Matt Mattingley, matt@mattingleygroup.com	12/1/2009	No	No	No
DuPont Elaine Olson, Elaine.m.olsen@usa.dupont.com	12/1/2009	No	No	No
Fanwood Chemical Jim DeLisi, idelisi@fanwoodchemical.com	12/1/2009	No	No	No

Technical comments:⁴

The Commission staff suggests using article description on page 1 of this report in the proposed new heading in order to provide the correct subheading reference.

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.

111TH CONGRESS
1ST SESSION

S. 2063

To suspend temporarily the duty on mixtures of 2-[4-[(2-hydroxy-3-dodecyloxypropyl)oxy]-2-hydroxyphenyl]-4,6-bis(2,4-dimethylphenyl)-1,3,5-triazine and 2-[4-[(2-hydroxy-3-tridecyloxypropyl)oxy]-2-hydroxyphenyl]-4,6-bis(2,4-dimethylphenyl)-1,3,5-triazine in propylene glycol monomethyl ether.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. CARPER introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on mixtures of 2-[4-[(2-hydroxy-3-dodecyloxypropyl)oxy]-2-hydroxyphenyl]-4,6-bis(2,4-dimethylphenyl)-1,3,5-triazine and 2-[4-[(2-hydroxy-3-tridecyloxypropyl)oxy]-2-hydroxyphenyl]-4,6-bis(2,4-dimethylphenyl)-1,3,5-triazine in propylene glycol monomethyl ether.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MIXTURES OF 2-[4-[(2-HYDROXY-3-**
 2 **DODECYLOXYPROPL)OXY]-2-**
 3 **HYDROXYPHENYL]-4,6-BIS(2,4-**
 4 **DIMETHYLPHENYL)-1,3,5-TRIAZINE AND 2-[4-**
 5 **[(2-HYDROXY-3-TRIDECYLOXYPROPYL)OXY]-2-**
 6 **HYDROXYPHENYL]-4,6-BIS(2,4-**
 7 **DIMETHYLPHENYL)-1,3,5-TRIAZINE IN PRO-**
 8 **PYLENE GLYCOL MONOMETHYL ETHER.**

9 (a) IN GENERAL.—Subchapter II of chapter 99 of
 10 the Harmonized Tariff Schedule of the United States is
 11 amended by inserting in numerical sequence the following
 12 new heading:

“	9902.01.00	Mixtures of 2-[4-[(2-Hydroxy-3-dodecyloxypropyl)oxy]-2-hydroxyphenyl]-4,6-bis(2,4-dimethylphenyl)-1,3,5-triazine and 2-[4-[(2-Hydroxy-3-tridecyloxypropyl)oxy]-2-hydroxyphenyl]-4,6-bis(2,4-dimethylphenyl)-1,3,5-triazine (CAS No. 153519-44-9) in propylene glycol monomethyl ether (provided for in subheading 3812.30.60)	Free	No change	No change	On or before 12/31/2011	”.
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13 (b) EFFECTIVE DATE.—The amendment made by
 14 subsection (a) applies to goods entered, or withdrawn from
 15 warehouse for consumption, on or after the 15th day after
 16 the date of the enactment of this Act.

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