

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 4, 2010]²

Bill No. and sponsor: S. 2198 (Mr. Arlen Specter of Pennsylvania et al.).

Proponent name,³ location: Dow Advanced Materials, Philadelphia, PA.

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)):

Macroporous adsorbent polymer composed of crosslinked phenol-formaldehyde polycondensate resin in granular form having a mean particle size of 0.56 to 0.76 mm (CAS No. 9003-35-4) (provided for in subheading 3909.40.00).

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 unique adsorptive properties of this product allow for the removal of high molecular weight organic compounds from aqueous solutions, and for its use as an enzyme carrier. Typical applications are found in the food and pharmaceutical industries for uses such as the clarification of fruit juices, removal of unwanted color bodies from process streams, and as an enzyme carrier for a wide range of enzymes (e.g. lactase). The product is imported from Germany.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading: 3909.40.00

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports ^a	\$400,000	\$450,000	\$500,000	\$550,000	\$600,000
Customs revenue loss ^b	\$26,000	\$29,250	\$32,500	\$35,750	\$39,000

a/ Dutiable import estimates were based on Commission and industry estimates.

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: 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://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)		
Dow Advanced Materials (Proponent) Geoffrey B. Hurwitz, ghurwitz@rohmmaas.com	02/05/2010	No	No	No
Air Products and Chemicals, Inc. Steven Belaus, BELAUSSB@airproducts.com	02/10/2010	No	No	No
Arch Chemicals Chris Cice, cjcice@archchemicals.com	02/19/2010	No	No	No
Bayer Corporation Karen Niedermeyer, karen.niedermeyer.b@bayer.com	02/10/2010	No	No	No
Dupont Elaine M. Olsen, Elaine.M.Olsen@usa.dupont.com Brian Curtis, Brian.Curtis@usa.dupont.com	02/10/2010	No	No	No
Evonik Industries Ron Birnbaum, ron.birnbaum@evonik.com	02/10/2010	No	No	No
Hexion Specialty Chemicals, Inc. Paul W. Langemeier, paul.langemeier@hexion.com	02/10/2010	No	No	No
Huntsman Corporation Peter De Vries, peter_de_vries@huntsman.com	02/19/2010	No	No	No
Lanxess Corporation Jamie Schaeffer, jamie.schaeffer@lanxess.com	02/10/2010	No	No	No
Lucite International, Inc. Kathy Fewell, kathy.fewell@lucite.com Troy Harpole, troy.harpole@lucite.com	02/10/2010	No	No	No
MCT International Max Turnipseed, mctint@att.net	02/10/2010	No	No	No
The Purolite Company Gary Thundercliffe, gthundercliffe@puroliteusa.com	02/22/2010	No	No	No
Reichhold, Inc. Edward R. Leydon, ed.leydon@reichhold.com	02/10/2010	No	No	No
Resintech Mike Gottlieb, m.gottlieb@resintech.com 609-792-8154	02/10/2010	No	No	No
Shell Chemical Company Steve Chin, steve.chin@shell.com	02/19/2010	No	No	No
Thermax, Inc. Jim Sabzali, jsabzali@thermax-usa.com	02/10/2010	No	No	No

Technical comments:⁴

The Commission staff suggests that the article description on page 1 of this report be used in the proposed heading in order to correct the spelling of “macroporous”.

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. 2198

To suspend temporarily the duty on macroporus adsorbent polymer composed of crosslinked phenol-formaldehyde polycondesate resin in granular form having a mean particle size of 0.56 to 0.76 mm.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. SPECTER (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on macroporus adsorbent polymer composed of crosslinked phenol-formaldehyde polycondesate resin in granular form having a mean particle size of 0.56 to 0.76 mm.

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. MACROPORUS ADSORPENT POLYMER COM-**
 2 **POSED OF CROSSLINKED PHENOL-FORM-**
 3 **ALDEHYDE POLYCONDENSATE RESIN IN**
 4 **GRANULAR FORM HAVING A MEAN PARTICLE**
 5 **SIZE OF 0.56 TO 0.76 MM.**

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

“	9902.01.00	Macroporus adsorbent polymer composed of crosslinked phenol-formaldehyde polycondensate resin in granular form having a mean particle size of 0.56 to 0.76 mm (CAS No. 9003–35–4) (provided for in subheading 3909.40.00)	Free	No change	No change	On or before 12/31/2011	”.
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10 (b) EFFECTIVE DATE.—The amendment made by
 11 subsection (a) applies to goods entered, or withdrawn from
 12 warehouse for consumption, on or after the 15th day after
 13 the date of the enactment of this Act.

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