

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: April 8, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2314 (Mr. Sherrod Brown of Ohio et al.).

**Proponent name,<sup>3</sup> location:** DuPont, Wilmington, DE.

**Other bills on product (111<sup>th</sup> Congress only):** S. 2008.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2011.<sup>4</sup>

**Retroactive effect:** None.

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

4,4'-Oxydiphthalic anhydride (CAS No. 1823-59-2) (provided for in subheading 2918.99.43).

**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 in the production of polyimide films and resins. This polyimide film has a variety of uses, including electrical insulation, substrates for printed electronic circuits, and magnetic tapes. The product is imported from China.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2918.99.43:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
Customs revenue loss <sup>b</sup>	\$97,500	\$97,500	\$97,500	\$97,500	\$97,500

a/ Dutiable import estimates were 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.

<sup>1</sup> Industry analyst preparing report: Elizabeth R. Nesbitt (202-205-3355); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill. USITC staff identified one additional beneficiary of this bill that was not identified by the sponsor/proponent, and that beneficiary submitted a written representation that it would benefit from this bill.

<sup>4</sup> Heading 9902.05.13 expired on December 31, 2009.

**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)		
DuPont (Proponent) Elaine M. Olsen <a href="mailto:Elaine.M.Olsen@USA.dupont.com">Elaine.M.Olsen@USA.dupont.com</a>	11/30/2009	No	No	No
3M Company Megan Ivory Carr, <a href="mailto:mmivory@mmm.com">mmivory@mmm.com</a>	11/30/2009	No	No	No
BASF Corporation Gregory A. Thies, <a href="mailto:gregory.thies@basf.com">gregory.thies@basf.com</a>	11/30/2009	No	No	No
Bayer Corporation Karen Niedermeyer <a href="mailto:karen.niedermeyer.b@bayer.com">karen.niedermeyer.b@bayer.com</a>	11/30/2009	No	No	No
Chemtura Corp. Lloyd N. Moon, <a href="mailto:lloyd.moon@chemtura.com">lloyd.moon@chemtura.com</a> Matt Mattingley, <a href="mailto:matt@mattingleygroup.com">matt@mattingleygroup.com</a>	11/30/2009	No	No	No
Ciba Specialty Chemicals Michelle Forte, <a href="mailto:Michelle.Forte@cibasc.com">Michelle.Forte@cibasc.com</a>	11/30/2009	No	No	No
ColorChem International Corp. Steven Printz, <a href="mailto:sjprintz@colorchem.com">sjprintz@colorchem.com</a>	12/02/2009	No	No	No
Daikin America Inc. Gary Stanitis, <a href="mailto:gstanitis@daikin-america.com">gstanitis@daikin-america.com</a>	11/30/2009	No	No	No
Dow Chemical Co. Lisa Schroeter, <a href="mailto:LMSchroeter@dow.com">LMSchroeter@dow.com</a> Max Turnipseed, <a href="mailto:mctint@att.net">mctint@att.net</a>	11/30/2009	No	No	No
Evonik Industries AG Russell Mait, <a href="mailto:russell.mait@evonik.com">russell.mait@evonik.com</a>	11/30/2009	No	No	No
Fanwood Chemical Inc. V. M. (Jim) DeLisi <a href="mailto:JdeLisi@fanwoodchemical.com">JdeLisi@fanwoodchemical.com</a>	11/30/2009	No	No	No
Freudenberg-NOK Ronald Guest, <a href="mailto:rsg@fnacc.com">rsg@fnacc.com</a>	11/30/2009	No	No	No
MIC Specialty Chemicals Inc. Joe Santora, <a href="mailto:joe.santora@micспе.com">joe.santora@micспе.com</a>	11/30/2009	No	No	No
Monsanto Company Michael Parrish, <a href="mailto:Michael.Parrish@monsanto.com">Michael.Parrish@monsanto.com</a>	11/30/2009	No	No	No
Nisso America Inc. Toshiyuki Iwama, <a href="mailto:tiwama@nissoamerica.com">tiwama@nissoamerica.com</a>	11/30/2009	No	No	No
Solutia Inc. Bob Hurley, <a href="mailto:Rhurley@TheAccordGroup.com">Rhurley@TheAccordGroup.com</a> Kassie Wooton, <a href="mailto:KDWoot@solutia.com">KDWoot@solutia.com</a>	11/30/2009 12/01/2009	No	No	No

**Technical comments:**<sup>5</sup>

The Commission staff notes that S. 2008 and S. 2314 would extend the same temporary duty suspension and that only one bill needs to be enacted.

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<sup>5</sup> 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. 2314

To extend the temporary suspension of duty on 4,4'-Oxydiphthalic anhydride.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

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## A BILL

To extend the temporary suspension of duty on 4,4'-  
Oxydiphthalic anhydride.

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. 4,4'-OXYDIPHTHALIC ANHYDRIDE.**

4 (a) IN GENERAL.—Heading 9902.05.13 of sub-  
5 chapter II of chapter 99 of the Harmonized Tariff Sched-  
6 ule of the United States (relating to 4,4'-Oxydiphthalic an-  
7 hydride) is amended by striking “12/31/2009” and insert-  
8 ing “12/31/2011”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 this section applies with respect to goods entered, or with-

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

