

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: June 19, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5078 (Mr. Tim Murphy of Pennsylvania).

**Proponent name,<sup>3</sup> location:** Bayer MaterialScience, Pittsburgh, PA.

**Other bills on product (110<sup>th</sup> 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)):**

Copolymer of methyl ethyl ketoxime and toluene diisocyanate (CAS No. 352462-03-4) (provided for in subheading 3911.90.45).

**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 used as a component in automobile paint and plastic coatings. It is imported from Germany.

---

<sup>1</sup> Industry analyst preparing report: Andrew Gately (202-205-3437); 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/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

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

**Estimated effect on customs revenue:**

<b>HTS subheading: 3911.90.45</b>					
<del> </del>	2009	2010	2011	2012	2013
Col. 1-General rate of duty	5.8%	5.8%	5.8%	5.8%	5.8%
Estimated value <i>dutiable</i> imports <u>1/</u>	\$1	\$1	\$1	\$1	\$1
Customs revenue loss <u>2/</u>	\$0	\$0	\$0	\$0	\$0

1/ The proponent anticipates importing only samples of the subject chemical.

2/ There is an existing duty suspension under HTS heading 9902.12.12 that expires on December 31, 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?
		(Yes/No)		
Bayer MaterialScience (Proponent) Karen Niedermeyer, karen.niedermeyer.b@bayer.com	04/23/2008 04/24/2008 04/28/2008	No	No	No
3M Megan Ivory, mmivory@mmm.com	04/28/2008	No	No	No
Anderson Development Corporation Steve Van Allsdale, Fax: 517-263-1000	04/25/2008	No	No	No
Chemtura Matt Mattingley, Fax: 202-463-8497	04/28/2008	No	No	No
Cytec Industries Bud Equi, bud.equi@cytec.com	04/25/2008	No	No	No
Dupont Helen McMahan, Fax: 302-355-2944	04/28/2008	No	No	No
Eastman Chemical Company Gregg Riddle, Fax: 212-835-1621	04/28/2008	No	No	No
Honeywell Art Simonetti, art.simonetti@honeywell.com	04/28/2008	No	No	No
Lonza, Inc. Cheryl Prescott, Fax: 201-696-3558	04/28/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Monsanto Grant Erdel, Fax: 202-789-1867	04/28/2008	No	No	No
Perstorp Polyols Jeff Jones, Fax: 419-729-3291	04/28/2008	No	No	No
Tennant Mary Heie, Fax: 763-513-1808	04/28/2008	No	No	No
Total Specialty Chemicals Tad Acker, Fax: 203-966-1505	04/28/2008	No	No	No
Union Carbide Jim Murray, Fax: 202-347-1684	04/28/2008	No	No	No

**Technical comments:<sup>4</sup>**

The Commission staff notes that a space should be inserted after “toluene” in the article description of heading 9902.12.12, as shown on page 1 of this report.

<sup>4</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.

110TH CONGRESS  
2D SESSION

# H. R. 5078

To extend the suspension of duty on Desmodur BL XP 2468.

---

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 BL XP  
2468.

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 BL XP 2468.**

4 (a) IN GENERAL.—Heading 9902.12.12 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 Copolymer of methyl ethyl ketoxime and toluenediisocya-  
7 nate) is amended by striking “12/31/2009” and inserting  
8 “12/31/2011”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 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.

○