

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 8, 2008]²

Bill No. and sponsor: H.R. 5371 (Mr. J. Gresham Barrett of South Carolina).

Proponent name,³ location: Fujifilm Manufacturing USA, Inc., Greenwood, SC.

Other bills on product (110th 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)):

Foil of aluminum, the foregoing suitable for lithographic applications, with thickness over 0.01 mm but not over 0.2 mm, rolled but not further worked, not backed, coated (provided for in subheading 7607.11.60).

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:

According to the proponent, the product of interest is foil made from direct cast 1050 alloy litho aluminum, a rolled aluminum product with extremely tight tolerances for chemical composition, mechanical properties, dimensional properties, and surface quality. Little additional information has been supplied by the proponent on the technical specifications of this aluminum foil so as to permit amending the article description of the proposed heading to cover the specific product of interest. The proponent indicates that these flat-rolled aluminum products in the bill would be imported from Japan and Germany. Dutiable U.S. imports under HTS subheading 7607.11.60 (a broader category of goods than the proponent intends to cover by the bill⁴) totaled \$47.5 million in 2007, of which China accounted for \$22 million. Japan and Germany supplied \$2.5 million and \$16.1 million of those imports, respectively.

¹ Industry analyst preparing report: Vincent DeSapio (202-205-3435); Tariff Affairs contact: Jan Summers (202-205-2605).

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.

⁴ The extent to which Customs may determine the scope of the proposed provision is narrower than the permanent tariff category is unknown.

Estimated effect on customs revenue:

HTS subheading: 7607.1160					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	5.3%	5.3%	5.3%	5.3%	5.3%
Estimated value <i>dutiable</i> imports	\$6,200,000	\$6,200,000	\$6,200,000	\$6,200,000	\$6,200,000
Customs revenue loss	\$328,600	\$328,600	\$328,600	\$328,600	\$328,600

Source of estimated dutiable import data: Industry estimates. The maximum revenue loss, if all dutiable imports under the applicable subheading were deemed by Customs to be “suitable for lithographic applications,” is approximately \$2,517,500 annually.

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)		
C&M Capitolink, representing Fujifilm Mfg. USA, Inc. (Proponent) Mike Gill (202-508-8843)	04/09/2008	No	No	No
Alcoa Corporation Russell Wisor (202-956-5306)	05/02/2008	No	No	No
The Aluminum Association J. Stephen Larkin, (703-358-2965)	04/28/2008	No	No	No

Technical comments:⁵

The article description as shown on page 1 represents information currently available from the proponent. Information supplied by the proponent’s representative on the precise product of interest may not yet be sufficiently precise so that the scope of the duty suspension can be narrowed appropriately. Customs and Border Protection officials would need to interpret what constitutes foil for lithographic applications, and would thereby face some administrative burdens from the bill.

⁵ 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. 5371

To suspend the duty on Aluminum (0.008" and thinner).

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2008

Mr. BARRETT of South Carolina introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend the duty on Aluminum (0.008" and thinner).

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. ALUMINUM (0.008" AND THINNER).**

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

“	9902.01.00	Aluminum, foil, w/thickness over 0.01 mm but n/o 0.15 mm, rolled but not further worked, not backed (provided for in subheading 7607.11.60)	Free	No change	No change	On or before 12/31/2011	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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