MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress ¹

[Date approved: September 20, 2005]²

Bill No. and sponsor: H.R. 2169 (Mr. Henry E. Brown Jr. of South Carolina)

Proponent name, location: LANXESS Corporation
Goose Creek, SC

Other bills on product (109th Congress only): None.


Retroactive effect: None.

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

Mixtures of resorcinol (CAS No. 108-46-3), hexamethylolmelamine ether (CAS No. 3089-11-0) and dibutyl phthalate (CAS No. 84-74-2) (provided for in subheading 3824.90.28)

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 chemical mixture, known by the trade name Cohedur RL, is an adhesion promoter used in combination with silica to improve adhesion of rubber compounds to reinforcing substrates such as in conveyor and automotive timing belts. The product is imported from Germany. There is no known domestic production of the exact same product mixture, but there are similar rubber adhesion promoting products that may be considered competitive.

¹ Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).
² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm
Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheading: 3824.90.28</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Col. 1-General rate of duty</td>
<td>6.5%</td>
<td>6.5%</td>
<td>6.5%</td>
<td>6.5%</td>
<td>6.5%</td>
</tr>
<tr>
<td>Estimated value <strong>dutiable</strong> imports</td>
<td>$686,000</td>
<td>$465,000</td>
<td>$475,000</td>
<td>$480,000</td>
<td>$485,000</td>
</tr>
<tr>
<td>Customs revenue loss</td>
<td>$44,590</td>
<td>$30,225</td>
<td>$30,875</td>
<td>$31,200</td>
<td>$31,525</td>
</tr>
</tbody>
</table>

Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

<table>
<thead>
<tr>
<th>Name of firm/organization</th>
<th>Date contacted</th>
<th>US production of same or competitive product claimed?</th>
<th>Submission attached?</th>
<th>Opposition noted?</th>
</tr>
</thead>
<tbody>
<tr>
<td>LANXESS Corporation (Proponent) Jamie Schaeffer, 412-809-3666</td>
<td>7/27/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Chemtura Corporation Liz Thomasino, 203-573-2644</td>
<td>8/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Cytek Industries Andrew Tisler, 440-708-1444</td>
<td>8/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Dow Chemical Corporation Lisa Schroeder, 202-429-3400</td>
<td>8/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Flexsys America L.P. Byron Towe, 330-668-8273</td>
<td>8/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>INDSPEC Chemical Corporation Joseph Aldameia, 412-338-2848</td>
<td>8/15/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Noveon Incorporated Pete Getzinger, 330-374-3577</td>
<td>8/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>R.T. Vanderbilt Co. Elizabeth Scofield, 203-853-1400, x386</td>
<td>8/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
Technical comments:  

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to reflect the correct chemical name for resorcinol and the corresponding CAS number.

3 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.
To suspend temporarily the duty on Cohedur RL.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2005

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

A BILL

To suspend temporarily the duty on Cohedur RL.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COHEDUR RL.

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

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9902.06.08 Mixtures of resorcinal, hexamethylenmelamine ether (CAS No. 3089-11-6) and dibutyl phthalate (CAS No. 84-74-2)(provided for in subheading 3824.90.28) Free No change No change On or before 12/31/2009 ..
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(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.