

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 19, 2008]²

Bill No. and sponsor: H.R. 5071 (Mr. Tim Murphy of Pennsylvania).

Proponent name,³ location: Bayer MaterialScience, Pittsburgh, PA.

Other bills on product (110th 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)):

Poly(tolylene diisocyanate) (CAS No. 26006-20-2) (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 an aromatic polyisocyanate that is based on toluene diisocyanate and is dissolved in n-butyl acetate. It is used in the formulation of fast-drying, two-component clear and pigmented polyurethane coatings for wood, metal, and paper substrates. Coatings based on this product lend themselves to applications requiring fast production rates and fast dry-to-handle times. These properties allow furniture manufacturers to operate more efficiently. The product is imported from Germany.

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/tata/hts/other/rel_doc/bill_reports/.

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

Estimated effect on customs revenue:

HTS subheading: 3911.90.45					
	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	\$700,000	\$700,000	\$725,000	\$750,000	\$775,000
Customs revenue loss 1/	\$0	\$40,600	\$42,050	\$43,500	\$44,950

1/ There is an existing duty suspension under HTS heading 9902.12.04 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

Source of estimated dutiable import data: Commission and 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) Julie Van Egmond, 202-756-3773 Karen Niedermeyer, 412-777-2058	04/17/2008	No	No	No
Dow Chemical Company Lisa Schroeter, 202-429-3400 Max Turnipseed, 225-338-0310	04/22/2008	No	No	No
DuPont Helen McMahon, 302-992-2263	04/22/2008	No	No	No
LANXESS Corporation Jamie Schaeffer, 412-809-3666	04/22/2008	No	No	No
Lyondell Chemical Company Ted Gormanos, 713-309-2349	04/21/2008	No	No	No

Technical comments:⁴

The Commission staff recommends that the article description on page 1 of this report be used in heading 9902.12.04 in order to eliminate unnecessary parts of the article description.

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.

110TH CONGRESS
2D SESSION

H. R. 5071

To extend the suspension of duty on Poly(toluene diisocyanate).

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 Poly(toluene diisocyanate).

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. POLY(TOLUENE DIISOCYANATE).**

4 (a) IN GENERAL.—Heading 9902.12.04 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Poly(toluene diisocyanate)) is amended by striking “12/
7 31/2009” and inserting “12/31/2011”.

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

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