

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: April 2, 2010]²

Bill No. and sponsor: S. 1277 (Mrs. Jeanne Shaheen of New Hampshire).

Proponent name,³ location: Freudenberg-NOK, Manchester, NH.

Other bills on product (111th Congress only): H.R. 3062.

Nature of bill: Extension of temporary duty suspension through December 31, 2012.⁴

Retroactive effect: None.

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

Bitolylene diisocyanate (TODI) (CAS No. 91-97-4) (provided for in subheading 2929.10.20)

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 reacted with polyols to form microcrystalline polyurethane foams, which are used to produce molded plastic parts for cars and light trucks. The subject product is imported from Japan.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2929.10.20:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	5.8%	5.8%	5.8%	5.8%	5.8%
Estimated value <i>dutiable</i> imports ^a	\$3,500,000	\$3,500,000	\$4,000,000	\$4,500,000	\$4,500,000
Customs revenue loss ^b	\$203,000	\$203,000	\$232,000	\$261,000	\$261,000

a/ Dutiable import estimates were based on industry information and Commission estimates.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

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

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

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor did not identify any additional beneficiaries of this bill. USITC staff identified six possible additional beneficiaries of this bill that were not identified by the sponsor/proponent; those beneficiaries have not submitted any written representation that they would benefit from this bill.

⁴ Heading 9902.01.01 expired on December 31, 2009.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Freudenberg-NOK (Proponent) Ronald Guest, rsg@fnacc.com	10/05/2009 10/08/2009	No	No	No
Acros Organics USA/B.V.B.A. Ann Moorkens, ann.moorkens@thermo.com	10/07/2009 10/28/2009	No	No	No
BASF Corporation Gregory A. Thies, gregory.thies@basf.com	10/05/2009 10/28/2009 10/29/2009	No	No	No
Bayer Corporation Karen Niedermeyer, karen.niedermeyer.b@bayer.com	10/05/2009 10/06/2009	No	No	No
Cargill Inc. Jon Hixson, Jon_Hixson@cargill.com Devry Boughner, devry_boughner@cargill.com	10/05/2009 10/06/2009 10/18/2009	No	No	No
Ciba Specialty Chemicals Michelle Forte, Michelle.Forte@cibasc.com	10/05/2009 10/28/2009	No	No	No
Dow Chemical Co. Lisa Schroeter, LMSchroeter@dow.com Max Turnipseed, mctint@att.net	10/05/2009 10/06/2009 10/07/2009	No	No	No
Dupont Elaine M. Olsen, Elaine.M.Olsen@USA.dupont.com	10/05/2009 10/28/2009	No	No	No
Evonik Industries AG Russell Mait, russell.mait@evonik.com	10/05/2009 10/28/2009 10/29/2009	No	No	No
Fanwood Chemical Inc. V. M. (Jim) DeLisi, JdeLisi@fanwoodchemical.com	10/05/2009 10/06/2009	No	No	No
MIC Specialty Chemicals Inc. Joe Santora, joe.santora@micspe.com	10/07/2009 10/08/2009 10/18/2009 10/28/2009	No	No	No
Monsanto Company Michael Parrish, Michael.Parrish@monsanto.com	10/05/2009 10/28/2009	No	No	No
Nisso America Inc. Toshiyuki Iwama, t.iwama@nissoamerica.com	10/05/2009 10/06/2009 10/07/2009	No	No	No
Solutia Inc. Bob Hurley, Rhurley@TheAccordGroup.com	10/07/2009 10/28/2009	No	No	No

Technical comments:⁵ None.

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.

111TH CONGRESS
1ST SESSION

S. 1277

To extend the temporary suspension of duty on bitolylene diisocyanate (TODI).

IN THE SENATE OF THE UNITED STATES

JUNE 17, 2009

Mrs. SHAHEEN introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To extend the temporary suspension of duty on bitolylene diisocyanate (TODI).

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. BITOLYLENE DIISOCYANATE (TODI).**

4 (a) **IN GENERAL.**—Heading 9902.01.01 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 bitolylene diisocyanate (TODI)) is amended by striking
7 “12/31/2009” and inserting “12/31/2012”.

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 enactment of this Act.

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