

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: June 2, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2182 (Mr. Arlen Specter of Pennsylvania et al.).

**Proponent name,<sup>3</sup> location:** The Purolite Company, Bala Cynwyd, PA.

**Other bills on product (111<sup>th</sup> Congress only):** S. 2209.

**Nature of bill:** Temporary duty suspension through December 31, 2011.<sup>4</sup>

**Retroactive effect:** None.

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

Ion-exchange resin powder comprised of a copolymer of methacrylic acid cross-linked with divinylbenzene, in the potassium ionic form, of a nominal particle size between 0.025 mm and 0.150 mm, dried to less than 10% moisture (CAS No. 65405-55-2) (provided for in subheading 3914.00.60).

**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:**

The subject product is a cationic ion exchange resin specifically designed for use as an active pharmaceutical ingredient (primarily as a tablet disintegrative), and in chemical processing. Rapid tablet disintegration of medications helps speed absorption in the gastrointestinal tract. The product is imported from China, France, and India.<sup>5</sup>

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3914.00.60:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	3.9%	3.9%	3.9%	3.9%	3.9%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$2,000,000	\$2,500,000	\$3,000,000	\$3,500,000	\$4,000,000
Customs revenue loss <sup>b</sup>	\$78,000	\$97,500	\$117,000	\$136,500	\$156,000

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

<sup>1</sup> Industry analyst preparing report: Ray Cantrell (202-205-3362); 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/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> The sponsor/proponent identified four additional beneficiaries of this bill. USITC staff sent inquiries to the additional beneficiaries. None of the identified beneficiaries submitted a written response that they would benefit from this bill.

<sup>4</sup> Heading 9902.11.79 provided a temporary duty suspension for the subject product that expired on December 31, 2009.

<sup>5</sup> Imports of the subject product from India are eligible for duty-free treatment under the Generalized System of Preferences.

**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)	
The Purolite Company (Proponent) Gary Thundercliffe, <a href="mailto:gthundercliffe@puroliteusa.com">gthundercliffe@puroliteusa.com</a>	02/06/2010	No	No	No
Bayer Corporation Karen Niedermeyer, <a href="mailto:karen.niedermeyer.b@bayer.com">karen.niedermeyer.b@bayer.com</a>	02/08/2010	No	No	No
Dow Advanced Materials Geoffrey B. Hurwitz, <a href="mailto:ghurwitz@rohmmaas.com">ghurwitz@rohmmaas.com</a> 202-429-3453 Henry P. Stoebenau, <a href="mailto:hstoebes@aol.com">hstoebes@aol.com</a>	02/06/2010	No	No	No
Lanxess Corporation Jamie Schaeffer, <a href="mailto:jamie.schaeffer@lanxess.com">jamie.schaeffer@lanxess.com</a>	02/08/2010	No	No	No
Resintech Mike Gottlieb, <a href="mailto:m.gottlieb@resintech.com">m.gottlieb@resintech.com</a> 609-792-8154	02/08/2010	No	No	No
Thermax, Inc. Jim Sabzali, <a href="mailto:jsabzali@thermax-usa.com">jsabzali@thermax-usa.com</a>	02/08/2010	No	No	No

**Technical comments:<sup>6</sup>**

The Commission staff notes that the subject product was eligible for a temporary duty suspension under HTS heading 9902.11.79, which expired on December 31, 2009. The Commission staff suggests that, rather than enacting a new temporary duty suspension for the subject product, heading 9902.11.79 be used to extend the duty suspension by modifying the effective date of heading 9902.11.79.

<sup>6</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.

111TH CONGRESS  
1ST SESSION

# S. 2182

To suspend temporarily the duty on a certain ion exchange resin powder.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. SPECTER (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on a certain ion exchange resin powder.

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. ION EXCHANGE RESIN POWDER.**

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:

“	9902.01.00	Ion Exchange resin powder comprised of a copolymer of methacrylic acid cross-linked with divinylbenzene, in the potassium ionic form, dried to less than 10% moisture (CAS No. 65405-55-2) (provided for in subheading 3914.00.60) .....	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 goods entered, or withdrawn from  
3 warehouse for consumption, on or after the 15th day after  
4 the date of the enactment of this Act.

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