

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: September 12, 2005]²

Bill No. and sponsor: H.R. 2141 (Mr. Berry)

Proponent name, location: Ciba Specialty Chemicals
Washington, D.C. 20006.

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

Nature of bill: Temporary duty suspension through 12/31/2008.

Retroactive effect: None.

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

2-Methyl-1-[4-(methylthio)phenyl]-2-(4-morpholinyl)-1-propanone (CAS No. 71868-10-5) (provided for in subheading 2934.99.39).

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:

This product is a synthetic organic chemical used as a photoinitiator in industrial coatings, as well as in coatings for electronic materials. The chemical is imported by Ciba Specialty Chemicals from manufacturing facilities in Italy. There are no known domestic suppliers of the product. Competing photoinitiators are imported from China and Taiwan.

¹ Industry analyst preparing report: Richard Qualters (202-205-2334); Tariff Affairs contact: David Michels (202-205-3340).

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:

HTS subheading: <u>2934.99.39</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty (AVE) <u>1</u> /	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000
Customs revenue loss	\$8,125	\$8,125	\$8,125	\$8,125	\$8,125

Source of estimated dutiable import data: Industry estimates.

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

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Ciba Specialty Chemicals (Proponent) John Demming, Fax: 410 -715-4552	7/21/2005	No	No	No
Allegheny Color Corp. Marv Gallisdorfer, Fax: 513 -681-0451	7/21/2005	No	No	No
Apollo Color, Inc. Patty Hines, Fax: 815 -741-2599	7/21/2005	No	No	No
Bayer Corp. & Bus. Karen L. Niedermeyer, Fax: 412 -777-4740	7/21/2005	No	No	No
BF Goodrich Thomas E. Eickhoff, Fax: 513 -841-4919	7/21/2005	No	No	No
Diacolor-Pope, Inc. Norman Russo, Fax: 973 -279-1256	7/21/2005	No	No	No
Engelhard Corp. Frank Ardite, Fax: 732 -321-0250	7/21/2005	No	No	No
Fabricolor Manuf. Corp. M. Barry Bochner, Fax: 973 -742-5038	7/21/2005	No	No	No

Galaxie Chemical Corp. Michael Santoro, Jr., Fax: 973 -790-7104	7/21/2005	No	No	No
Magruder Color Co., Inc. John G. Cook, Jr., Fax: 973 -242-4087	7/21/2005	No	No	No
Mason Color Work, Inc. Carol Mason Cronin, Fax: 330 -385-4488	7/21/2005	No	No	No
Max Marx Color Corp. Walter Sichel, Fax: 973 -373-9301	7/21/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202 -789-1867	7/21/2005	No	No	No
PMC Inc. Gordon McCullough, Fax: 513 -482-7884	7/21/2005	No	No	No
Roma Color, Inc. Stuart E. Booth, Fax: 508 -676-9011	7/21/2005	No	No	No
Sun Chemical Corp. Steve Schmidt, Fax: 513 -681-4960	7/21/2005	No	No	No
Uhlich Color Co. Abdul Saleh, Fax: 520 -577-0038	7/21/2005	No	No	No

Technical comments:³

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

109TH CONGRESS
1ST SESSION

H. R. 2141

To suspend temporarily the duty on 1-Propanone, 2-methyl-1-[4-(methylthio)phenyl]-2-(4-morpholinyl)-(9cl).

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2005

Mr. BERRY introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on 1-Propanone, 2-methyl-1-[4-(methylthio)phenyl]-2-(4-morpholinyl)-(9cl).

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. 1-PROPANONE, 2-METHYL-1-[4-**
4 **(METHYLTHIO)PHENYL]-2-(4-MORPHOLINYL)-**
5 **9(CL).**

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

“	9902.05.53	1-Propanone, 2-methyl-1-[4-(methylthio)phenyl]-2-(4-morpholinyl)-9(ol) (CAS No. 718-10-5) (provided for in subheading 2934.99.39)	Free	No change	No change	On or before 12/31/2008	”.
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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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