

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: September 23, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2271 (Mr. English)

**Proponent name, location:** Bayer MaterialScience LLC  
Pittsburgh, PA 15205

**Other bills on product (109<sup>th</sup> Congress only):** H.R. 2402 and S. 1451.

**Nature of bill:** Temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

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

Benzene, 2,4-diisocyanato-1-methyl-, homopolymer (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:**

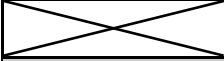
The subject product, Desmodur IL, is an aromatic polyisocyanate based on toluene diisocyanate (TDI) and dissolved in n-butyl acetate. This product is used in the coatings market with end use applications in furniture and metal coatings. The proponent claims that coatings based on this product lend themselves to applications that require high production rates and short dry-to-handle times.

Bayer MaterialScience imports this product from its affiliated company Bayer AG in Germany. There are no other known importers of this product.

<sup>1</sup> Industry analyst preparing report: Jeff Clark (202-205-3318); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm)

**Estimated effect on customs revenue:**

<b>HTS subheading: <u>3911.90.45</u></b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	5.8%	5.8%	5.8%	5.8%	5.8%
Estimated value <i>dutiable</i> imports	\$825,000	\$840,000	\$860,000	\$875,000	\$895,000
Customs revenue loss	\$47,850	\$48,720	\$49,880	\$50,750	\$51,910

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)		
Bayer MaterialScience (proponent) Julie Van Egmond, 202-756-3773 Karen Niedermeyer, 412-777-2058	7/27/2005 8/15/2005 8/17/2005	No	No	No
Anderson Development Corporation Steve Van Allsdale 517-263-2121	8/18/2005 8/22/2005	No	No	No
Cytec Industries Gail Petersen 973-357-3100	8/18/2005 8/19/2005	No	No	No
BASF Corp. Tom Coleman 202-289-3900	8/15/2005	No	No	No
Ciba Specialty Chemicals Corp. John Deming 202-857-5200	8/15/2005	No	No	No
Clariant Corporation Andrew Zamoyiski 401-823-2230	8/15/2005	No	No	No
E. I. du Pont de Nemours and Company Elaine Olsen 302-992-2263	8/15/2005	No	No	No
Lonza Inc. Ray Esposito 201-316-9200	8/15/2005	No	No	No

**Technical comments:**<sup>3</sup>

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

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<sup>3</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.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2271

To suspend temporarily the duty on Desmodur IL.

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IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2005

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

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## A BILL

To suspend temporarily the duty on Desmodur IL.

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. DESMODUR IL.**

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  
7 new heading:

“	9902.09.03	Polyisocyanate based on toluene diisocyanate (TDI) and hexamethylene diisocyanate (HDI) (CAS No. 63368-95-6), dissolved in n-butyl acetate (provided for in sub-heading 3911.90.45) .....	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 enactment of this Act.

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