

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: September 28, 2005]²

Bill No. and sponsor: H.R. 2274 (Mr. Phil English of Pennsylvania)

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

Other bills on product (109th Congress only): S. 1466.

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

Retroactive effect: None.

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

Polyisocyanate mixtures containing 1,1',1''-methylidynetris(4-isocyanatobenzene) (CAS No. 2422-91-5) in solvent (provided for in subheading 3824.90.28)

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 R-E, is a crosslinker for solvent borne polyurethane and polychloroprene adhesives. The proponent claims that the product imparts rapid curing properties and heat resistance to materials such as PVC, rubber, and leather for use in shoe soles.

Bayer MaterialScience imports this product from its affiliated company in Germany. There are no other known importers of this product. However, competitive products are imported from Asia and Europe.

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

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: 3824.90.28					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$390,000	\$405,000	\$415,000	\$430,000	\$440,000
Customs revenue loss	\$25,350	\$26,325	\$26,975	\$27,950	\$28,600

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 Zamoyski 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:³

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.

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. 2274

To suspend temporarily the duty on Desmodur R-E.

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

A BILL

To suspend temporarily the duty on Desmodur R-E.

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 R-E.**

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:

“	9902.09.04	Polyisocyanate cross linking agent products containing triphenylmethane triisocyanate (CAS No. 2422-91-5) in solvents (provided for in subheading 3824.90.28)	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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