



## MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved August 23, 2012

### I. Background

Bill number: H.R. 5249

Sponsor name: Mr. Tim Murphy

Sponsor state: PA

#### Interested entity:

Name Bayer

City Pittsburgh

State PA

Other bills on product (112th Congress only): S. 2762 (Mr. Robert P. Casey, Jr., PA)

Nature of bill: Extension of temporary duty suspension

Expiration date: December 31, 2015

Current or previous chapter 99 heading: 9902.12.17

Retroactive date: None

CAS number (if applicable): 4151-51-3

Industry analyst: Larry Johnson

Telephone: 202-205-3351

Tariff Affairs contact: David Michels

Telephone: 202-205-3440

#### Note:

1. 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/).
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

Polyisocyanate cross linking agent products containing tris(4-isocyanatophenyl)thiophosphate (CAS No. 4151-51-3) in solvents (provided for in subheading 3824.90.28)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
 Different (see Technical Comments section)

**III. Other product information, including uses/applications and source(s) of imports**

The subject product is a cross linking agent for adhesives based on polyurethane, and natural or synthetic rubber. It is imported from Germany.

**IV. Estimated effect on customs revenue**

Table with 6 columns: Subject product HTS subheading(s), 2013, 2014, 2015, 2016, 2017. Rows include Col.1-general rate of duty or percentage point reduction (%), Estimated value of dutiable imports (\$), and Customs revenue loss (\$).

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
 Provided by industry sources
 Industry information
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) [ ] Temporary rate (%) [ ] Percentage point reduction (%) [ ]

**V. Technical comments**

In addition to extending the period of the temporary duty suspension, the bill modifies the article description in HTS heading 9902.12.17 to read "Polyisocyanate cross linking agent products containing tris(4-isocyanatophenyl) thiophosphate (CAS No. 4151-51-3) in solvents (provided for in subheading 3824.90.28)" as indicated above.

**VI. Continuation**

[Empty box for continuation text]

## VII. Contacts with domestic firms/organizations

#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	Bayer (Interested entity) Steve Johnsen	412-777-5616	No	No	No
2	3M Greg Walters	202-414-3008	No	No	No
3	Air Products and Chemicals Richard F. Goodstein	202-639-0840	No	No	No
4	Albaugh Stuart Feldstein	515-964-9444	No	No	No
5	Arkema David Kunz	202-263-3491	No	No	No
6	Ashland Frank Fusiak	973-628-4123	No	No	No
7	BASF Richard J. Salamone	973-895-8316	No	No	No
8	Celanese Samuel Ramirez	972-443-4689	No	No	No
9	Chemtura Elizabeth J. Thomasino	203-573-2644	No	No	No
10	Clariant Andrew Zamoyski	202-415-9159	No	No	No
11	ColorChem Steven Printz	770-993-5500, x18	No	No	No
12	Crowell & Moring, LLP Mike Gill	202-508-8843	No	No	No
13	DSM Sheetal Bhadekar	973-257-8323	No	No	No
14	Dixie Chemical Mal Johnson	281-291-2659	No	No	No
15	Dow Lisa Schroeter	202-429-3407	No	No	No
16	Drexel Chemical Stanley Bernard	901-774-4370	No	No	No
17	DuPont Elaine M. Olsen	302-992-2263	No	No	No
18	DyStar L.P. Megan Malone	202-344-4621	No	No	No

#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
19	Eastman Brent Perry	202-347-9547	No	No	No
20	Emerald Performance Materials Thomas Dirmyer	330-916-6706	No	No	No
21	Evonik Russell Mait	804-452-5711	No	No	No
22	FMC Jerry Prout	202-956-5209	No	No	No
23	Fanwood Chemical V. M. (Jim) DeLisi	908-322-8440	No	No	No
24	Honeywell Art Simonetti	202-662-2671	No	No	No
25	Huntsman Robert F. Hurley	202-289-9800	No	No	No
26	INVISTA Roger Ramseyer	316-828-1525	No	No	No
27	Kemira Rajesh Sharma	678-819-4577	No	No	No
28	LANXESS Jamie B. Schaeffer	412-809-3666	No	No	No
29	Lonza Joe Robinson	201-316-9364	No	No	No
30	Milliken Kathi Dutilh	202-775-0084	No	No	No
31	Monsanto James K. Travis	202-383-2864	No	No	No
32	Nation Ford Chemical Jay Dickson	803-548-3210, x15	No	No	No
33	Nufarm Americas Joel Junker	206-621-7878	No	No	No
34	PPG Industries Bill Ries	412-434-1717	No	No	No
35	Philips Electronics Randall B. Moorhead	202-962-8555	No	No	No
36	Procter & Gamble Matt Mattingley	202-841-5601	No	No	No
37	Purolite Gary Thundercliffe	484-384-2708	No	No	No

38	Rhodia Jackie Guscott	609-860-3379	No	No	No
39	Royce Associates, ALP Terry Scheirer	201-438-5200	No	No	No
40	SOCMA Robert E. Branand	202-345-2717	No	No	No
41	Sensient Technologies Ken Goldacker	314-658-7363	No	No	No
42	Sigma-Aldrich Jared Fenton	314-286-8326	No	No	No
43	Solutia Kassie Wooton	314-674-3297	No	No	No
44	Solvay Andrew K. Jones	856-251-3412	No	No	No
45	Symrise Elizabeth Scharlat	908-429-6821	No	No	No
46	Syngenta Mike Blythe	336-632-2824	No	No	No
47	Tessenderlo Kerley Brian Thomassen	602-889-8397	No	No	No
48	United Color Manufacturing Tom Nowakowski	215-860-2165	No	No	No
49	Valent Robin Demouth	925-256-2758	No	No	No

112TH CONGRESS  
2D SESSION

# H. R. 5249

To extend and modify the temporary suspension of duty on Desmondur RF-E.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

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

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## A BILL

To extend and modify the temporary suspension of duty on Desmondur RF-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 RF-E.**

4 (a) IN GENERAL.—Heading 9902.12.17 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 Desmondur RF-E) is amended—

7 (1) by amending the article description to read  
8 as follows: “Polyisocyanate cross linking agent prod-  
9 ucts containing tris(4-  
10 isocyanatophenyl)thiophosphate (CAS No. 4151–51–

1       3) in solvents (provided for in subheading  
2       3824.90.28)”; and

3               (2) by striking the date in the effective period  
4       column and inserting “12/31/2015”.

5       (b) EFFECTIVE DATE.—The amendment made by  
6       subsection (a) applies to goods entered, or withdrawn from  
7       warehouse for consumption, on or after the 15th day after  
8       the date of the enactment of this Act.

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