

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: October 26, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 3221 (Mr. Robert Menendez of New Jersey).

**Proponent name, location:** BASF Corporation, Florham Park, NJ.

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

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

1, 4-Benzenedicarboxylic acid, dimethyl ester, polymer with 1,4-butanediol and hexanedioic acid (CAS No. 55231-08-8) (provided for in subheading 3907.99.00).

**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 product is a biodegradable aliphatic-aromatic copolyester resin based on the monomers butanediol, adipic acid, and terephthalic acid. It has properties similar to low-density polyethylene because of its high molecular weight and its branched molecular structure; it is also substitutable with high-density polyethylene. Potential applications are biodegradable packaging films, including retail carrier bags, agricultural films, hygienic films, and compost bags. This product is imported from Germany.

**Estimated effect on customs revenue:**

<b>HTS subheading: 3907.99.00</b>					
	2006	2007	2008	2009	2010
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$2,182,554	\$3,637,590	\$5,383,633	\$6,547,662	\$7,690,000
Customs revenue loss	\$141,866	\$236,443	\$349,936	\$425,598	\$499,850

Source of estimated dutiable import data: Commission and industry estimates.

<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://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**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)		
BASF Corporation (Proponent) Keith A. Edwards, 513-895-0446 Steve Ziehm, 202-872-8181	08/10/2006	No	No	No
Archer Daniels Midland Company (ADM) Brian Peterson, 217-424-5413	08/12/2006	No	No	No
Bayer Corporation Karen Niedermeyer, 412-777-2058	08/12/2006	No	No	No
Dow Chemical Company Lisa Schroeter, 202-429-3400	08/12/2006	No	No	No
DuPont Helen McMahon, 302-992-2263	08/12/2006	No	No	No
King and Spaulding, LLP Joseph W. Dorn Esq., 202-626-5445	08/12/2006	No	No	No
LANXESS Corporation Jamie Schaeffer, 412-809-3666	08/12/2006	No	No	No
NatureWorks LLC (Cargill, Inc.) Glen Johnston, 952-742-0457	08/14/2006	No	No	No
Progressive Bag Alliance Voice Mail, 866-432-0941	08/12/2006	No	No	No

**Technical comments:**<sup>3</sup> None.

<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  
2<sup>D</sup> SESSION

# S. 3221

To suspend temporarily the duty on Ecoflex F BX7011.

---

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on Finance

---

## A BILL

To suspend temporarily the duty on Ecoflex F BX7011.

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. SUSPENSION OF DUTY ON EXOFLEX F BX7011.**

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:

“	9902.39.06	1,4-Benzenedicarboxylic acid, dimethyl ester, polymer with 1,4-butanediol and hexanedioic acid (CAS No. 55231-08-8) (provided for in subheading 3907.99.00)	Free	No change	No change	On or before 12/31/2009	”.
---	------------	---	------	-----------	-----------	-------------------------	----

8        (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to goods entered, or withdrawn from

2

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

○