

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: May 22, 2010]²

Bill No. and sponsor: S. 2719 (Mr. Frank R. Lautenberg of New Jersey).

Proponent name,³ location: BASF Corporation, Florham Park, NJ.

Other bills on product (111th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

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

Diphenyl (2,4,6-trimethylbenzoyl) phosphine oxide (CAS No. 75980-60-8) (provided for in subheading 2931.00.30)

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 is an organic chemical that is used as a photoinitiator in coatings, adhesives, and printing inks. The product is imported from Germany.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2931.00.30:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports ^a	\$600,000	\$600,000	\$600,000	\$600,000	\$600,000
Customs revenue loss ^b	\$39,000	\$39,000	\$39,000	\$39,000	\$39,000

a/ Dutiable import estimates were provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

¹ Industry analyst preparing report: Elizabeth R. Nesbitt (202-205-3355); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ Heading 9902.24.39 expired on December 31, 2009.

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) Gregory A. Thies, gregory.thies@basf.com	11/30/2009	No	No	No
3M Company Megan Ivory Carr, mmivory@mmm.com	11/30/2009	No	No	No
Bayer Corporation Karen Niedermeyer, karen.niedermeyer.b@bayer.com	11/30/2009	No	No	No
Chemtura Corp. Lloyd N. Moon, lloyd.moon@chemtura.com Matt Mattingley, matt@mattingleygroup.com	11/30/2009	No	No	No
Ciba Specialty Chemicals Michelle Forte, Michelle.Forte@cibasc.com	11/30/2009	No	No	No
Daikin America Inc. Gary Stanitis, gstanitis@daikin-america.com	11/30/2009	No	No	No
Dow Chemical Co. Lisa Schroeter, LMSchroeter@dow.com Max Turnipseed, mctint@att.net	11/30/2009	No	No	No
DuPont Elaine M. Olsen, Elaine.M.Olsen@USA.dupont.com	11/30/2009	No	No	No
Evonik Industries AG Russell Mait, russell.mait@evonik.com	11/30/2009	No	No	No
Fanwood Chemical Inc. V. M. (Jim) DeLisi, JdeLisi@fanwoodchemical.com	11/30/2009	No	No	No
Freudenberg-NOK Ronald Guest, rsg@fnacc.com	11/30/2009	No	No	No
Monsanto Company Michael Parrish, Michael.Parrish@monsanto.com	11/30/2009	No	No	No
Solutia Inc. Bob Hurley, Rhurley@TheAccordGroup.com Kassie Wooton, KDWoot@solutia.com	11/30/2009 12/01/2009	No	No	No

Technical comments:⁵ None.

⁵ 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.

111TH CONGRESS
1ST SESSION

S. 2719

To extend the temporary suspension of duty on diphenyl (2,4,6-trimethylbenzoyl) phosphine oxide.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2009

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

A BILL

To extend the temporary suspension of duty on diphenyl (2,4,6-trimethylbenzoyl) phosphine oxide.

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. DIPHENYL (2,4,6-TRIMETHYLBENZOYL)**
4 **PHOSPHINE OXIDE.**

5 (a) IN GENERAL.—Heading 9902.24.39 of the Har-
6 monized Tariff Schedule of the United States (relating to
7 diphenyl (2,4,6-trimethylbenzoyl) phosphine oxide) is
8 amended by striking “12/31/2009” and inserting “12/31/
9 2011”.

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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