

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: March 20, 2008]²

Bill No. and sponsor: H.R. 4350 (Mr. Tim Murphy of Pennsylvania).

Proponent name,³ location: LANXESS Corporation, Pittsburgh, PA.

Other bills on product (110th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.

Retroactive effect: None.

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

Plasticizers containing diphenyl cresyl phosphate (CAS No. 26444-49-5), triphenyl phosphate (CAS No. 115-86-6), tricresyl phosphate (CAS No. 1330-78-5), and phenyl dicresyl phosphate (CAS No. 26446-73-1) (provided for in subheading 3812.20.10).

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 products are mixtures of synthetic organic chemicals that are used as plasticizers in polyvinyl chloride (PVC), polyurethane foams, phenolic resins, and synthetic rubbers. They are imported from Germany.

¹ Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

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

Estimated effect on customs revenue:

| HTS subheading: 3812.20.10 | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|
| | 2009 | 2010 | 2011 | 2012 | 2013 |
| Col. 1-General rate of duty | 6.5% | 6.5% | 6.5% | 6.5% | 6.5% |
| Estimated value <i>dutiable</i> imports | \$300,000 | \$300,000 | \$300,000 | \$800,000 | \$800,000 |
| Customs revenue loss 1/ | \$0 | \$19,500 | \$19,500 | \$52,000 | \$52,000 |

1/ There is an existing duty suspension under HTS heading 9902.24.61 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

Source of estimated dutiable import data: U.S. industry estimates.

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? |
|--|----------------|--|----------------------|-------------------|
| | | | | |
| LANXESS Corporation (Proponent) Laura Pearson, 202-872-8181 | 01/28/2008 | No | No | No |
| Abbott Elaine Leavenworth, Fax: 202-783-6631 | 01/29/2008 | No | No | No |
| American Chemistry Council Jim O'Connor, Fax: 703-741-6922 | 01/29/2008 | No | No | No |
| BASF Corporation Greg Thies, Fax: 703-255-7142 | 01/29/2008 | No | No | No |
| Bayer Corporation Karen Niedermeyer, Fax: 412-777-4740 | 01/29/2008 | No | No | No |
| Biddle Sawyer William Thonack, Fax: 212-239-1089 | 01/29/2008 | No | No | No |
| Chemtura Corporation Carly Seymour, Fax: 202-463-8497 | 01/29/2008 | No | No | No |
| Ciba Specialty Chemicals Michelle Forte, Fax: 914-785-4831 | 01/29/2008 | No | No | No |
| Dow Chemical Lisa Schroeter, Fax: 202-429-3467 | 01/29/2008 | No | No | No |
| DuPont Helen McMahon, Fax: 302-355-2994 | 01/29/2008 | No | No | No |

| Name of firm/organization | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|---|----------------|--|----------------------|-------------------|
| | | | | |
| Eastman Chemical Company Anna Wagner, Fax: 423-229-8280 | 01/29/2008 | No | No | No |
| Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480 | 01/29/2008 | No | No | No |
| Honeywell International Art Simonetti, Fax: 202-662-2675 | 01/29/2008 | No | No | No |
| Monsanto Corporation Michael Parrish, Fax: 202-789-1867 | 01/29/2008 | No | No | No |
| Rhodia Dominick Cangiana, Fax: 609-860-2256 | 01/29/2008 | No | No | No |
| Solutia Dan Jenkins, Fax: 314-674-1585 | 01/29/2008 | No | No | No |
| Supresta Fax: 914-674-9438 | 01/31/2008 | No | No | No |

Technical comments:⁴

None.

⁴ 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.

110TH CONGRESS
1ST SESSION

H. R. 4350

To extend the temporary suspension of duty on Disflamoll DPK.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2007

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

A BILL

To extend the temporary suspension of duty on Disflamoll DPK.

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. DISFLAMOLL DPK.**

4 (a) IN GENERAL.—Heading 9902.24.61 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 certain plasticizers) is amended by striking “12/31/2009”
7 and inserting “12/31/2011”.

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

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

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