MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress

[Date approved: October 6, 2005]

Bill No. and sponsor: H.R. 2263 (Mr. Phil English of Pennsylvania).

Proponent name, location: Rohm and Haas Company
Chicago, IL 60623

Other bills on product (109th Congress only): None.


Retroactive effect: None.

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

10,10'-Oxybisphenoxarsine oxide (CAS No. 58-36-6) (provided for in subheading 2934.99.18)

Check one: Same as that in bill as introduced.
X Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject chemical is the active ingredient in formulated antimicrobial products used chiefly in plastics products exposed to both fungi (such as mold and mildew) and bacteria (both gram-positive and gram-negative), such as swimming pool liners and shower curtains. This chemical is imported from Brazil and China. This product is registered with EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

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1 Industry analyst preparing report: Robert Randall (202-205-3366); 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:

<table>
<thead>
<tr>
<th>HTS subheading: 2934.99.18</th>
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<tbody>
<tr>
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<tr>
<td>Col. 1-General rate of duty</td>
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<tr>
<td>Estimated value dutiable imports</td>
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<tr>
<td>Customs revenue loss 1/</td>
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</table>

1/ Revenue loss for 2005 and 2006 results from a current suspension of duty per heading 9902.02.29. Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

<table>
<thead>
<tr>
<th>Name of firm/organization</th>
<th>Date contacted</th>
<th>US production of same or competitive product claimed?</th>
<th>Submission attached?</th>
<th>Opposition noted?</th>
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</thead>
<tbody>
<tr>
<td>Rohm and Haas (Proponent) Hank Stroebenau, 215-628-4919</td>
<td>8/11/2005</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Aceto Corporation Marketing Mgr., FAX 516-627-6093</td>
<td>8/15/2005</td>
<td>No</td>
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<tr>
<td>Alfa Aesar Marketing Mgr., FAX 978-521-6366</td>
<td>8/15/2005</td>
<td>No</td>
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<tr>
<td>American Tartaric Products, Inc. Marketing Mgr., FAX 914-834-4611</td>
<td>8/15/2005</td>
<td>No</td>
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<tr>
<td>Ashland Distributing Company Fine Ingredients Division Marketing Mgr., FAX 614-790-4427</td>
<td>8/15/2005</td>
<td>No</td>
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<td>Burlington Bio-Medical &amp; Scientific Corp. Marketing Mgr., FAX 631-694-9177</td>
<td>8/15/2005</td>
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<td>Charkit Chemical Corp. Marketing Mgr., FAX 203-655-8643</td>
<td>8/15/2005</td>
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<td>Eastman Chemical Co. Marketing Mgr., FAX 423-229-1673</td>
<td>8/15/2005</td>
<td>No</td>
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<tr>
<td>Company Name</td>
<td>Contact Name</td>
<td>Phone Number</td>
<td>Fax Number</td>
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<tr>
<td>Hawkins Inc.</td>
<td>Marketing Mgr.</td>
<td>612-331-5304</td>
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<td>International Sourcing Inc.</td>
<td>Marketing Mgr.</td>
<td>201-560-1156</td>
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<td>International Specialty Products</td>
<td>Marketing Mgr.</td>
<td>973-872-1583</td>
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<tr>
<td>JLM Marketing, Inc.</td>
<td>Marketing Mgr.</td>
<td>813-632-3301</td>
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<tr>
<td>LANXESS Corporation</td>
<td>Jamie Schaeffer</td>
<td>412-809-3666</td>
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<td>Los Angeles Chemical Co.</td>
<td>Marketing Mgr.</td>
<td>323-773-0909</td>
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<td>Nutrinova Nutrition Specialties</td>
<td>Robert R. Carpenter</td>
<td>202-443-8685</td>
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<td>Parchem Trading Ltd.</td>
<td>Marketing Mgr.</td>
<td>914-997-1025</td>
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<td>Penta Manufacturing Co.</td>
<td>Marketing Mgr.</td>
<td>973-740-1839</td>
<td></td>
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<td>Rit-Chem Co. Inc.</td>
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<td>Ruger Chemical Co. Inc.</td>
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<td>Surety Labs</td>
<td>Marketing Mgr.</td>
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<td>Total Specialty Chemicals, Inc.</td>
<td>Marketing Mgr.</td>
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<td>Troy Corporation</td>
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<td>V.L. Clark Chemical Co.</td>
<td>Marketing Mgr.</td>
<td>636-583-5218</td>
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<td>Vopak USA Inc.</td>
<td>Marketing Mgr.</td>
<td>425-889-4100</td>
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<td>Westco Chemicals, Inc.</td>
<td>Marketing Mgr.</td>
<td>818-255-3650</td>
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Technical comments:

The Commission suggests that the article description in heading 9902.02.29 be amended to insert “oxide” after the chemical name in the existing article description, as shown on page 1 of this report.

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.
H. R. 2263

To extend the suspension of duty on 10’10’ Oxybisphenoxarsine.

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 extend the suspension of duty on 10’10’ Oxybisphenoxarsine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. 10’10’ OXYBISPHENOXARSIINE.

(a) In General.—Heading 9902.02.29 of the Harmonized Tariff Schedule of the United States is amended by striking “12/31/2006” and inserting “12/31/2009”.

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