

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: August 10, 2006]²

Bill No. and sponsor: S. 2924 (Mr. George Allen of Virginia).

Proponent name, location: Albemarle Corporation, Baton Rouge, LA.

Other bills on product (109th 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)):

Brominated polystyrene flame retardant (CAS No. 88497-56-7) (provided for in subheading 3903.90.50).

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:

Brominated polystyrene is a thermoplastic polymeric flame retardant additive that is used in engineering thermoplastics like polyamides and polyesters. The product comes in a variety of different forms, including powder, pellets, and granules. The bromine content of these materials may be as high as 68.5 percent. The subject product is known by the trade name PYRO-CHEK® 68PB Flame Retardant. It is available in dry powder (68PB) and dry granule form (68PBC). The proponent imports this product from France.

¹ Industry analyst preparing report: Ray Cantrell (202-205-3362); 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:

HTS subheading: 3903.90.50					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$2,100,000	\$2,200,000	\$2,400,000	\$2,500,000	\$2,700,000
Customs revenue loss	\$136,500	\$143,000	\$156,000	\$162,500	\$175,500

Source of estimated dutiable import data: Commission and 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?
		(Yes/No)		
Albemarle Corporation (Proponent) Ms. Barbara Little, 202-223-4411	07/08/2006	No	No	No
Bayer Corporation Ms. Karen Niedermeyer, 412-777-2058	07/06/2006	No	No	No
Chemtura Corporation Mr. David Sanders, 765-427-1859	07/11/2006	Yes	Yes	Yes
Ciba Specialty Chemicals Mr. John Deming, 302-479-5499	07/11/2006	No	No	No
Dow Chemical Company Ms. Lisa Schroeter, 202-429-3400	07/07/2006	No	No	No
DuPont Ms. Elaine Olsen, 302-992-2263	07/07/2006	No	No	No
LANXESS Corporation Ms. Jamie Schaeffer, 412-809-3666	07/06/2006	No	No	No
PolyOne Specialty Resins Group Mr. Carl Sustoff, 856-299-8659	07/11/2006	No	No	No

Technical comments:³ None.

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.

109TH CONGRESS
2^D SESSION

S. 2924

To suspend temporarily the duty on brominated polystyrene flame retardant.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2006

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

A BILL

To suspend temporarily the duty on brominated polystyrene flame retardant.

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. BROMINATED POLYSTYRENE FLAME RETARD-**
4 **ANT.**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of
6 the Harmonized Tariff Schedule of the United States is
7 amended by inserting in numerical sequence the following
8 new heading:

“	9902.39.03	Brominated polystyrene flame retardant (CAS No. 88497-56-7) (provided for in subheading 3903.90.50)	Free	No change	No change	On or before 12/31/2009	”.
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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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