MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress

[Date approved: October 26, 2006]

Bill No. and sponsor: S. 3338 (Mr. Arlen Specter of Pennsylvania).

Proponent name, location: Eastman Chemical Company, Elizabeth, PA.

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


Retroactive effect: None.

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

Polyethylene glycol branched-nonylphenyl ether phosphate (CAS No. 68412-53-3) (provided for in subheading 3402.11.40).

Check one: X 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, a synthetic organic chemical, is an emulsifier that is used in the manufacture of a number of proprietary resins manufactured by the Eastman Chemical Company. The product is imported from the Netherlands.

Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheading: 3402.11.40</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>2006</td>
</tr>
<tr>
<td>Col. 1-General rate of duty</td>
</tr>
<tr>
<td>Estimated value dutiable imports</td>
</tr>
<tr>
<td>Customs revenue loss</td>
</tr>
</tbody>
</table>

Source of estimated dutiable import data: Industry estimates.

Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David Michels (202-205-3440).

Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/reldoc/bill_reports/index.htm.
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.

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

<table>
<thead>
<tr>
<th>Name of firm/organization</th>
<th>Date contacted</th>
<th>Claim US makes same or competing product(s)?</th>
<th>Submission attached?</th>
<th>Opposition noted?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastman Chemical Company (Proponent) Jorge SanPedro, Fax: 703-524-7707</td>
<td>08/10/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>BASF Corporation Anthony Latella, Fax: 973-245-6718</td>
<td>08/10/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>DuPont Nancy Johnson, Fax: 202-728-3649</td>
<td>08/10/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>LANXESS Corporation Kevin Ajoku, Fax: 412-809-1068</td>
<td>08/10/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Soap and Detergent Association Todd Westfall, Fax: 202-347-4110</td>
<td>08/10/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

**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.
To suspend temporarily the duty on polyethylene glycol branched-nonylphenyl ether phosphate.

IN THE SENATE OF THE UNITED STATES

MAY 26, 2006

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

A BILL

To suspend temporarily the duty on polyethylene glycol branched-nonylphenyl ether phosphate.

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

SECTION 1. POLYETHYLENE GLYCOL BRANCHED-
NONYLPHENYL ETHER PHOSPHATE.

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

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  9902.34.02 Polyethylene glycol branched-nonylphenyl ether phosphate (CAS No. 68412–53–3) (provided for in subheading 3402.11.40) Free No change No change On or before 12/31/2009 "
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(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.