

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress**<sup>1</sup>

[Date approved: June 2, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4666 (Mr. James R. Langevin of Rhode Island).

**Proponent name,<sup>3</sup> location:** Clariant Corporation, Coventry RI.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

Ammonium polyphosphate (CAS No. 68333-79-9) (provided for in subheadings 3824.90.92 and 2835.39.50).

**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:**

The subject product is a non-halogen flame retardant. It is imported from Germany.

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<sup>1</sup> Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

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

**Estimated effect on customs revenue:**

| <b>Total Estimated Revenue Loss for this Bill</b> |           |           |           |           |           |
|---|-----------|-----------|-----------|-----------|-----------|
|   | 2009      | 2010      | 2011      | 2012      | 2013      |
| Customs revenue loss                              | \$195,000 | \$210,000 | \$235,000 | \$255,000 | \$255,000 |

| <b>HTS subheading: <u>2835.39.50</u></b> |      |      |      |      |      |
|--|------|------|------|------|------|
|  | 2009 | 2010 | 2011 | 2012 | 2013 |
| Col. 1-General rate of duty              | 3.7% | 3.7% | 3.7% | 3.7% | 3.7% |
| Estimated value <i>dutiable</i> imports  | \$0  | \$0  | \$0  | \$0  | \$0  |
| Customs revenue loss                     | \$0  | \$0  | \$0  | \$0  | \$0  |

| <b>HTS subheading: <u>3824.90.92</u></b>              |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|
|   | 2009        | 2010        | 2011        | 2012        | 2013        |
| Col. 1-General rate of duty                           | 5%          | 5%          | 5%          | 5%          | 5%          |
| Estimated value <i>dutiable</i> imports <sup>1/</sup> | \$3,900,000 | \$4,200,000 | \$4,700,000 | \$5,100,000 | \$5,100,000 |
| Customs revenue loss                                  | \$195,000   | \$210,000   | \$235,000   | \$255,000   | \$255,000   |

<sup>1/</sup> The proponent did not provide an allocation of import estimates under the corresponding subheadings. All estimated imports were allocated to subheading 3824.90.92 so as not to underestimate the total customs revenue loss for this bill.

Source of estimated dutiable import data: U.S. industry and Commission 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)                                     |                      |                   |
| Clariant Corp. (Proponent)<br>Andrew Zamoyski, 202-415-9159 | 3/10/2008      | No   | No                   | No                |
| Albemarle Corp.<br>Barbara Little, 202-223-1848             | 3/28/2008      | No   | No                   | No                |

| Name of firm/organization                   | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|---|----------------|--|----------------------|-------------------|
|   |                | (Yes/No)                                     |                      |                   |
| Dimmit Sulfur<br>Scott Percy, 806-789-0505  | 3/28/2008      | Yes  | No                   | No                |
| PCS Corp.<br>Tom Pasztor, 847-849-4297      | 3/28/2008      | Yes  | No                   | No                |
| Pelron Corp.<br>Edward Eubenk, 708-442-9100 | 3/28/2008      | No   | No                   | No                |

**Technical comments:**<sup>4</sup>

None.

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<sup>4</sup> 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. 4666

To suspend temporarily the duty on Ammonium polyphosphate.

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. LANGEVIN introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on Ammonium  
polyphosphate.

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. AMMONIUM POLYPHOSPHATE.**

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

|   |            |  |      |           |           |                            |    |
|---|------------|--|------|-----------|-----------|----------------------------|----|
| “ | 9902.01.00 | Ammonium polyphosphate<br>(CAS No. 68333-79-9)<br>(provided for in subheadings<br>3824.90.92 and 2835.39.50) | Free | No change | No change | On or before<br>12/31/2011 | ”. |
|---|------------|--|------|-----------|-----------|----------------------------|----|

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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