

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: March 20, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4349 (Mr. Tim Murphy of Pennsylvania).

**Proponent name,<sup>3</sup> location:** LANXESS Corporation, Pittsburgh, PA.

**Other bills on product (110<sup>th</sup> 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)):**

Phosphoric acid, tris (2-ethylhexyl) ester (CAS No. 78-42-2) (provided for in subheading 2919.90.50).

**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:**

Phosphoric acid, tris (2-ethylhexyl) ester is a low-temperature resistant plasticizer with flame retardant qualities that is used in PVC, nitrile-butadiene rubber, and polyurethane applications. It is imported from Germany.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2919.90.50</b>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty (AVE)</del>					
Col. 1-General rate of duty (AVE)	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Customs revenue loss 1/	\$0	\$37,000	\$37,000	\$37,000	\$37,000

1/ There is an existing duty suspension under HTS heading 9902.24.62 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):**

<sup>1</sup> Industry analyst preparing report: Jeff Clark (202-205-3318); 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.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
LANXESS Corporation (Proponent) Seth Tomei, Fax: 412-809-3614 Jamie Schaeffer, Fax: 412-809-3614	1/21/2008	No	No	No
Abbott Laboratories Elaine Leavenworth, Fax: 202-783-6631	1/21/2008	No	No	No
American Chemistry Council Jim O'Connor, Fax: 703-741-6922	1/21/2008	No	No	No
Apollo Color, Inc. Dave Klebine, Fax: 815-741-2599	1/21/2008	No	No	No
BASF Corp. Dave Bushnell, Fax: 301-654-8336 Steve Camenisch, Fax: 502-775-7205 Greg Thies, Fax: 703-255-7142 Frank Arditei, Fax: 704-587-8252	1/21/2008	No	No	No
BASF Corp., Functional Polymers Group Cenan Ozmeral, Fax: 704-587-7903	1/21/2008	No	No	No
Bayer Corp. Karen Niedermeyer, Fax: 412-777-4740 Julie Van Egmund, Fax: 202-737-8909	1/21/2008	No	No	No
Biddle Sawyer Corp. William Thonack, Fax: 212-239-1089	1/21/2008	No	No	No
Blackman Uhler Jeter Starnes, Fax: 864-596-1524	1/21/2008	No	No	No
Chemtura Matt Mattingley, Fax: 202-463-8497 Lloyd Moon, Fax: 203-573-2686	1/21/2008	No	No	No
Ciba Specialty Chemicals Corp. Robert Hurley, Fax: 202-289-3588 Michelle Forte, Fax: 914-785-4831	1/21/2008	No	No	No
Clariant Corporation Andrew Zamoyski, Fax: 202-248-9043	1/21/2008	No	No	No
ColorChem Steve Printz, Fax: 770-993-4780	1/21/2008	No	No	No
Color Resources International, Inc. Wayne Jones, Fax: 864-862-6824	1/21/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
CPMA Larry Robinson, Fax: 703-684-1795	1/21/2008	No	No	No
Day-Glo Eugene Crojac, Fax: 216-391-1408	1/21/2008	No	No	No
Dow Lisa Schroeter, Fax: 202-429-3467	1/21/2008	No	No	No
Dupont Helen McMahon, Fax: 302-355-2994	1/21/2008	No	No	No
DyStar L.P. Ron Pedemonte, Fax: 704-561-3005	1/21/2008	No	No	No
Eastman Chemical Greg Riddle, Fax: 212-835-1621	2/5/2008	No	No	No
EC Pigments Stuart E. Booth, Fax: 508-676-9011 Andrew Blum, Fax: 508-676-9011 John P. White, Fax: 508-676-9011	1/21/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	1/21/2008	No	No	No
ETAD Tucker Helms, Fax: 202-296-8120	1/21/2008	No	No	No
Everlight USA, Inc. Scott Chen, Fax: 704-588-0051	1/21/2008	No	No	No
Fanwood Chemical Jim DeLisi, Fax: 908-322-8494	1/21/2008	No	No	No
Fujifilm Imaging Colorants, Inc. Mike Gill, Fax: 202-628-5116 Pat McGlinchey, Fax: 302-477-8103	1/21/2008	No	No	No
Galaxie Chemical Corp. Michael Santoro, Jr., Fax: 973-790-7104 Richard Caldwell, Fax: 973-790-7104	1/21/2008	No	No	No
Honeywell International Art Simonetti, Fax: 202-662-2675	1/21/2008	No	No	No
Huntsman Corp. John Deming, Fax: 302-479-5499	1/21/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Mason Color Works, Inc. Ann Mason Herdman, Fax: 330-385-4488 Carol Mason Cronin, Fax: 330-385-4488	1/21/2008	No	No	No
Milliken Ray Sanders, Fax: 864-503-1618	1/21/2008	No	No	No
Monsanto Michael Parrish, Fax: 202-789-1867	1/21/2008	No	No	No
NFC John Dickson, Fax: 803-548-2683	1/21/2008	No	No	No
Passaic Color John Wojciechowski, Fax: 973-279-3175	1/21/2008	No	No	No
Rhodia Dominick Cangiana, Fax: 609-860-2256	1/21/2008	No	No	No
Rohm and Haas Geoff Hurwitz, Fax: 703-741-5884	1/21/2008	No	No	No
Solutia Sue Cannon, Fax: 314-674-1585 Dan Jenkins, Fax: 314-674-1585	1/21/2008	No	No	No
Sun Chemical Ed Faulkner, Fax: 513-632-1537	1/21/2008	No	No	No

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

None.

<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. 4349

To extend the temporary suspension of duty on Disflamoll TOF.

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## 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

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## A BILL

To extend the temporary suspension of duty on Disflamoll TOF.

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 TOF.**

4 (a) **IN GENERAL.**—Heading 9902.24.62 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 Phosphoric acid, tris (2-ethylhexyl)ester) is amended by  
7 striking “12/31/2009” 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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