

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: July 29, 2008]²

Bill No. and sponsor: H.R. 4957 (Mr. David Davis of Tennessee).

Proponent name,³ location: Eastman Chemical Company, Kingsport, TN.

Other bills on product (110th 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)):

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

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 product, a highly viscous, low pH surfactant, is used in the production of aqueous resin dispersions. The product is imported from the United Kingdom and the Netherlands.

Estimated effect on customs revenue:

HTS subheading: 3402.11.40					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty					
Col. 1-General rate of duty	4.0%	4.0%	4.0%	4.0%	4.0%
Estimated value <i>dutiable</i> imports	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
Customs revenue loss	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000

Source of estimated dutiable import data: U.S. industry estimates.

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

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://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

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

Name of firm/organization <u>1</u> /	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Eastman Chemical Company (Proponent) Gregory A. Riddle, 212-835-1620	5/15/2008	No	No	No
Akzo Nobel Resins Robin Hall, 312-544-7187	5/15/2008	No	No	No
Arizona Chemical Co., Inc. Product Manager, Fax: 904-928-8779	5/15/2008	No	No	No
J.H. Calo Company, Inc. Product Manager, Fax: 516-832-7758	5/15/2008	No	No	No
Crowley Chemical Co. Product Manager, Fax: 212-953-3487	5/15/2008	No	No	No
Ecolink, Inc. Product Manager, Fax: 770-621-8245	5/15/2008	No	No	No
Emerald Performance Materials Tom Dirmyer, Fax: 330-315-6480	5/15/2008	No	No	No
Galaxie Chemical Corp. Michael Santoro, Jr., Fax: 973-790-7104	5/15/2008	No	No	No
Hercules, Inc. Product Manager, Fax: 302-594-6664	5/15/2008	No	No	No
Huntsman Corp. John Deming, Fax: 302-479-5499	5/15/2008	No	No	No
Loos & Dilworth, Inc. Product Manager, Fax: 215-785-3597	5/15/2008	No	No	No
Natrochem, Inc. Product Manager, Fax: 912-236-1919	5/15/2008	No	No	No
Naval Stores Co. of New York Product Manager, Fax: 914-664-9383	5/15/2008	No	No	No
Roger A. Reed, Inc. Product Manager, Fax: 781-942-1831	5/15/2008	No	No	No
Resinall Corp. Henry Boswell, Fax: 203-329-0167	5/15/2008	No	No	No
Rit-Chem Co., Inc. Product Manager, Fax: 914-769-1408	5/15/2008	No	No	No
Frank B. Ross Co. Product Manager, Fax: 732-669-0814	5/15/2008	No	No	No

Name of firm/organization <u>1</u> /	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/No)	
Sovereign Chemical Co. Product Manager, Fax: 330-869-0518	5/15/2008	No	No	No

1/ Some domestic firms and organizations were identified using company directories and internet research. Individual contacts at such firms or organizations were not identifiable.

Technical comments:⁴

The Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide the common name in parentheses after the chemical name.

⁴ 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
2D SESSION

H. R. 4957

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2008

Mr. DAVID DAVIS of Tennessee introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

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

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. POLYETHYLENE GLYCOL BRANCHED-NONYL-**
4 **PHENYL ETHER PHOSPHATE.**

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:

“	9902.01.00	Polyethylene glycol branched-nonylphenyl ether phosphate (CAS No. 68412-53-3) (provided for in sub-heading 3402.11.40)	Free	No change	No change	On or before 12/31/2011	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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