

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: October 6, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5431 (Mr. Keith Ellison of Minnesota).

**Proponent name,<sup>3</sup> location:** Entegris, Inc., Chaska, Minnesota.

**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)):**

Cellular plastic membrane sheets of polytetrafluoroethylene resin measuring 10 microns to 140 microns thick that, when tested, retain polystyrene latex beads of 0.15 microns diameter, and cellular plastic membrane sheets of polysulfone resin of various thicknesses and porosity, each certified by the importer for use in manufacturing filters of heading 8421 (provided for in subheading 3921.19.00).

**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 products are designed to be used as multipurpose ultra-purification filters in various downstream semiconductor device manufacturing applications. The polytetrafluoroethylene (Teflon) membrane filters are highly chemically resistant to the passage of various corrosive liquid materials, while the polysulfone membranes have a lower chemical resistance but allow for a higher rate of liquid passage. The products are imported from Japan.

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<sup>1</sup> Industry analyst preparing report: Ray Cantrell (202-205-3362); Tariff Affairs contact: David G. 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>HTS subheading: 3921.19.00</b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$6,000,000	\$6,300,000	\$6,500,000	\$6,800,000	\$7,000,000
Customs revenue loss	\$390,000	\$409,500	\$422,500	\$442,000	\$455,000

Source of estimated dutiable import data: Commission and U.S. 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)		
Entegris, Inc. (Proponent) Daniel J. Friedland, 202-457-6402	05/16/2008	No	No	No
AGC Chemicals Americas Winn Darden, 805-583-5917	05/19/2008	No	No	No
Arkema, Inc. Charles Kitchen, 215-419-7615	05/20/2008	No	No	No
Bayer Corporation Karen Niedermeyer, 412-777-2058	05/19/2008	No	No	No
Daikin America, Inc. Tison Keel, 845-365-9566 Richie Straff, straff@daikin-america.com	05/19/2008	No	No	No
Dow Chemical Company Lisa Schroeter, 202-429-3400 Max Turnipseed, 225-338-0310	05/19/2008	No	No	No
DuPont Helen McMahon, 302-992-2263 Elaine Olsen, 302-992-2263	05/19/2008	No	No	No
Evonik Industries Ron Birnbaum, 973-541-8391	05/20/2008	No	No	No
LANXESS Jamie Schaffer, 412-809-3666	05/19/2008	No	No	No
Novamont SpA Max Turnipseed, mctint@att.net	05/19/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Society of the Plastics Industry (SPI) Amy Sherman, 202-974-5219	05/21/2008	No	No	No
Toray Plastics America, Inc. Todd Eckles, 401-294-4511 Paul Knollmeyer, paulknollmeyer@toraytpa.com	05/22/2008	No	No	No

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

The Commission staff recommends that the article description on page 1 of this report be used in the proposed new heading in order to more accurately describe the product, and to provide the correct name of the resin.<sup>5</sup>

<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.

<sup>5</sup> USITC staff correspondence with Daniel J. Friedland, Patton Boggs LLP, Washington, DC, April 18, 2008.

110TH CONGRESS  
2D SESSION

# H. R. 5431

To suspend temporarily the duty on certain cellular plastic sheets for use  
in filters.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2008

Mr. ELLISON 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 certain cellular plastic  
sheets for use in filters.

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. CELLULAR PLASTIC SHEETS FOR FILTERS.**

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	Cellular Plastic Sheets; of poly-tetrafluoroethylene measuring 10 microns to 140 microns thick with pore size less than 0.15 microns which retain Polystyrene Latex beads of 0.15 microns or less, or of polyethersulfone, for use in manufacturing filters of heading 8421 (provided for in subheading 3921.19.00) .....	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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