

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 10, 2008]²

Bill No. and sponsor: H.R. 4738 (Mr. Robin Hayes of North Carolina).

Proponent name,³ location: Clariant Corp., Charlotte, NC.

Other bills on product (110th 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)):

Reaction products of phosphorus trichloride with 1,1'-biphenyl and 2,4-bis(1,1-dimethylethyl)phenol (CAS No. 119345-01-6) (provided for in subheading 3812.30.60).

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 phosphorus (phosphonite) based secondary antioxidant which prevents the thermo-oxidative degradation of polymers and the development of undesired color (yellowing) during melt processing. It is imported from France and Switzerland.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David G. 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.

Estimated effect on customs revenue:

HTS subheading: 3812.30.60					
	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	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Customs revenue loss 1/	\$0	\$130,000	\$130,000	\$130,000	\$130,000

1/ There is an existing duty suspension under HTS heading 9902.04.07 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):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
			(Yes/No)	
Clariant Corp. (Proponent) Andrew Zamoyski, 202-415-9159	03/01/2008	No	No	No
Apollo Color, Inc. Dave Klebine, 815-722-3965	03/01/2008	No	No	No
BASF Corp. Greg Thies, 202-558-5101	03/01/2008	No	No	No
CDR Pigments & Dispersions Craig Foster, 270-737-0318	03/01/2008	No	No	No
Ciba Specialty Chemical Corp. Michelle Forte, 914-785-4831	03/01/2008	No	No	No
E.C. Pigments Andrew Blum, 508-676-9011	03/01/2008	No	No	No
Fanwood Chemical Co. Jim DeLisi, 908-322-8440	03/01/2008	No	No	No
Galaxie Chemical Corp. Richard Caldwell, 973-279-0558	03/01/2008	No	No	No

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Mason Color Works, Inc. Carol Mason Cronin, 330-385-4400	03/01/2008	No	No	No
Nation Ford Chemical Co. John Dickson, 803-548-2683	03/01/2008	No	No	No
PMC Inc. Zetta Bouligaraki, 513-482-7373	03/01/2008	No	No	No
Sun Chemical Corp. Ed Faulkner, 513-681-5950	03/01/2008	No	No	No

Technical comments:⁴

None.

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
1ST SESSION

H. R. 4738

To extend the temporary suspension of duty on reaction products of phosphorous trichloride with 1,1'-biphenyl and 2,4-bis(1,1-dimethylethyl)phenol.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 17, 2007

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

A BILL

To extend the temporary suspension of duty on reaction products of phosphorous trichloride with 1,1'-biphenyl and 2,4-bis(1,1-dimethylethyl)phenol.

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. REACTION PRODUCTS OF PHOSPHOROUS TRI-**
4 **CHLORIDE WITH 1,1'-BIPHENYL AND 2,4-**
5 **BIS(1,1-DIMETHYLETHYL)PHENOL.**

6 (a) IN GENERAL.—Heading 9902.04.07 of the Har-
7 monized Tariff Schedule of the United States (relating to
8 reaction products of phosphorous trichloride with 1,1'-
9 biphenyl and 2,4-bis(1,1-dimethylethyl)phenol) is amended

1 by striking the date in the effective period column and
2 inserting “12/31/2011”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) applies to goods entered, or withdrawn from
5 warehouse for consumption, on or after the 15th day after
6 the date of the the enactment of this Act.

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