

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: September 20, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 1784 (Mr. William L. Jenkins of Tennessee)

**Proponent name, location:** Eastman Chemical Company  
Kingsport, TN

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary suspension of duty until 12/31/2008.

**Retroactive effect:** None.

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

Tetrakis(2,4-di-tert-butylphenyl) 4,4'-biphenyldiphosphate(CAS No. 38613-77-3) (provided for in subheading 2931.00.90).

**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 chemical is a synthetic mixed organic/inorganic chemical. Its uses and import sources, if any are unknown. See Technical comments.

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/109c.htm](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/109c.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: <u>2931.00.90</u></b>					
<del> </del>	2005	2006	2007	2008	2009
Col. 1-General rate of duty (AVE) <u>1/</u>	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$500,000,000 <u>2/</u>	\$500,000,000 <u>2/</u>	\$500,000,000 <u>2/</u>	\$500,000,000 <u>2/</u>	\$500,000,000 <u>2/</u>
Customs revenue loss	\$18,500,000	\$18,500,000	\$18,500,000	\$18,500,000	\$18,500,000

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

2/ No estimates were provided by the proponent. See Technical comments.  
Source of estimated dutiable import data: Commission 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)		
Eastman Chemical Company (proponent) J.P. San Pedro Tel: (703) 524-7653	6/22/2005	No	No	No
Ciba Specialty Chemicals, Additives Div. Marketing Mgr. , FAX: (914) 785-4253	6/23/2005	No	No	No
Cytec Industries, Inc. Marketing Mgr. , FAX: (716) 372-1594	6/23/2005	No	No	No
Dover Chemical Corp. Marketing Mgr. , FAX: (330) 365-3955	6/23/2005	No	No	No
Gallard-Schlesinger Industries Inc. Marketing Mgr. , FAX: (516) 683-6990	6/23/2005	No	No	No

**Technical comments:**<sup>3</sup>

According to telephone a conversation with J.P. San Pedro, Director, International Trade, Eastman Chemical Company, on 6/23/2005, the proponent is no longer pursuing this duty suspension. It should be noted that the proponent did not provide any information about the subject chemical, and that estimates of imports and revenue losses were based on import levels for the entire HTS subheading.

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<sup>3</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.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1784

To suspend temporarily the duty on Tetrakis.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2005

Mr. JENKINS 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 Tetrakis.

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. TETRAKIS.**

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:

“	9902.04.54	Tetrakis(2,4-di-tert-butylphenyl) 4,4'-biphenyldiphosphate (CAS No. 38613-77-3) (provided for in subheading 2931.00.90) .....	Free	No change	No change	On or before 12/31/2008	”.
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1       (b) **EFFECTIVE DATE.**—The amendments made by  
2 subsection (a) apply to articles 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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