

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: August 10, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 2745 (Mr. Jack Reed of Rhode Island and Mr. Lincoln Chafee of Rhode Island).

**Proponent name, location:** Clariant Corporation, Coventry, RI.

**Other bills on product (109<sup>th</sup> Congress only):** S. 2746.

**Nature of bill:** Temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

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

Phosphinic acid, diethyl-, aluminum salt (CAS No. 225789-38-8) (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:**

Phosphinic acid, diethyl-, aluminum salt is a synthetic organic chemical that is used as a flame retardant in plastics. The product is intended to replace halogenated flame retardants that are being eliminated due to their toxicity. Clariant imports the product from Germany.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2931.00.90</b>					
	2006	2007	2008	2009	2010
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$420,000	\$840,000	\$1,260,000	\$2,500,000	\$3,500,000
Customs revenue loss	\$15,540	\$31,080	\$46,620	\$92,500	\$129,500

Source of estimated dutiable import data: Industry estimates.

<sup>1</sup> Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David Michels (202-205-3440).

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

**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)		
Clariant Corporation (Proponent) Andrew Zomoyski, 202-415-9159	06/14/2006	No	No	No
Abbott Elaine Leavenworth, Fax: 202-783-6631	06/14/2006	No	No	No
American Chemistry Council Jim O'Connor, Fax: 703-741-6922	06/14/2006	No	No	No
Ashland Chemical Mike Toohey, Fax: 202-293-2913	06/14/2006	No	No	No
Bayer Corporation Julie Van Egmund, Fax: 202-737-8909 Karen L. Niedermeyer, Fax: 412-777-4740	06/14/2006	No	No	No
Biddle Sawyer William Thonack, Fax: 212-239-1089	06/14/2006	No	No	No
Ciba Specialty Chemicals John Deming, Fax: 302-479-5152	06/14/2006	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	06/14/2006	No	No	No
Eastman Chemical Company Jorge San Pedro, Fax: 703-524-7707 Greg Riddle, Fax: 703-524-7707	06/14/2006	No	No	No
GlaxoSmithKline William Schuyler, Fax: 202-715-1001	06/14/2006	No	No	No
Honeywell International Art Simonetti, Fax: 202-662-2675	06/14/2006	No	No	No
Lonza, Inc. Ray Esposito, Fax: 201-696-3487	06/14/2006	No	No	No
Monsanto Corporation Michael Parrish, Fax: 202-789-1867 Linda Strachan, Fax: 202-789-1867	06/14/2006	No	No	No
Noveon Tom Dirmyer, Fax: 216-447-5720	06/14/2006	No	No	No
Perstorp Polyols, Inc. Jeff Jones, Fax: 419-729-3291	06/14/2006	No	No	No
Rhodia Dominick Cangiana, Fax: 609-860-2256	06/14/2006	No	No	No

Solutia Dan Jenkins, Fax: 314-674-1585 Sue Cannon, Fax: 314-674-1585	06/14/2006	No	No	No
Tennant Company Mary Heie, Fax: 763-513-1808	06/14/2006	No	No	No
Total Specialty Chemicals, Inc. Tad Acker, Fax: 203-966-1505	06/14/2006	No	No	No
Union Carbide Jim Murray, Fax: 202-347-1684	06/14/2006	No	No	No
Uniroyal Chemical Company Lloyd Moon, Fax: 203-573-4430	06/14/2006	No	No	No

**Technical comments:**<sup>3</sup> None.

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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  
2<sup>D</sup> SESSION

# S. 2745

To suspend temporarily the duty on phosphinic acid,  
diethyl-, aluminum salt.

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IN THE SENATE OF THE UNITED STATES

MAY 4, 2006

Mr. REED (for himself and Mr. CHAFEE) introduced the following bill; which  
was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on phosphinic acid,  
diethyl-, aluminum salt.

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. PHOSPHINIC ACID, DIETHYL-, ALUMINUM SALT.**

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:

“	9902.09.02	Phosphinic acid, diethyl-, aluminum salt (CAS No. 225789–38–8) (provided for in subheading 2931.00.90) ..	Free	No change	No change	On or before 12/31/2009	”.
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1       (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) applies to goods entered, or withdrawn from  
3 warehouse for consumption, on or after the 15th day after  
4 the date of enactment of this Act.

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