

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: October 26, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 3338 (Mr. Arlen Specter of Pennsylvania).

**Proponent name, location:** Eastman Chemical Company, Elizabeth, PA.

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

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

**Retroactive effect:** None.

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

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

**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, a synthetic organic chemical, is an emulsifier that is used in the manufacture of a number of proprietary resins manufactured by the Eastman Chemical Company. The product is imported from the Netherlands.

**Estimated effect on customs revenue:**

HTS subheading: <u>3402.11.40</u>					
	2006	2007	2008	2009	2010
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	4.0%	4.0%	4.0%	4.0%	4.0%
Estimated value <i>dutiable</i> imports	\$141,000	\$141,000	\$141,000	\$141,000	\$141,000
Customs revenue loss	\$5,640	\$5,640	\$5,640	\$5,640	\$5,640

Source of estimated dutiable import data: Industry estimates.

<sup>1</sup> Industry analyst preparing report: Stephen Wanser (202-205-3363); 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)		
Eastman Chemical Company (Proponent) Jorge SanPedro, Fax: 703-524-7707	08/10/2006	No	No	No
BASF Corporation Anthony Latella, Fax: 973-245-6718	08/10/2006	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	08/10/2006	No	No	No
LANXESS Corporation Kevin Ajoku, Fax: 412-809-1068	08/10/2006	No	No	No
Soap and Detergent Association Todd Westfall, Fax: 202-347-4110	08/10/2006	No	No	No

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

<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.

109TH CONGRESS  
2D SESSION

# S. 3338

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

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IN THE SENATE OF THE UNITED STATES

MAY 26, 2006

Mr. SPECTER 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 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-**  
4 **NONYLPHENYL 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:

“	9902.34.02	Polyethylene glycol branched-nonylphenyl ether phosphate (CAS No. 68412-53-3) (provided for in subheading 3402.11.40)	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 the enactment of this Act.

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