

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: October 6, 2005]²

Bill No. and sponsor: H.R. 2263 (Mr. Phil English of Pennsylvania).

Proponent name, location: Rohm and Haas Company
Chicago, IL 60623

Other bills on product (109th Congress only): None.

Nature of bill: Extension of temporary duty suspension through 12/31/2009.

Retroactive effect: None.

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

10,10'-Oxybisphenoxarsine oxide (CAS No. 58-36-6) (provided for in subheading 2934.99.18)

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 the active ingredient in formulated antimicrobial products used chiefly in plastics products exposed to both fungi (such as mold and mildew) and bacteria (both gram-positive and gram-negative), such as swimming pool liners and shower curtains. This chemical is imported from Brazil and China. This product is registered with EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

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

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm

Estimated effect on customs revenue:

HTS subheading: 2934.99.18					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$2,520,300	\$2,595,900	\$2,673,800	\$2,754,000	\$2,836,600
Customs revenue loss <u>1/</u>	\$163,820	\$168,734	\$173,797	\$179,010	\$184,379

1/ Revenue loss for 2005 and 2006 results from a current suspension of duty per heading 9902.02.29.
Source of estimated dutiable import data: 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)		
Rohm and Haas (Proponent) Hank Stroebenau, 215-628-4919	8/11/2005	No	No	No
Aceto Corporation Marketing Mgr., FAX 516-627-6093	8/15/2005	No	No	No
Alfa Aesar Marketing Mgr., FAX 978-521-6366	8/15/2005	No	No	No
American Tartaric Products, Inc. Marketing Mgr., FAX 914-834-4611	8/15/2005	No	No	No
Ashland Distributing Company Fine Ingredients Division Marketing Mgr., FAX 614-790-4427	8/15/2005	No	No	No
Burlington Bio-Medical & Scientific Corp. Marketing Mgr., FAX 631-694-9177	8/15/2005	No	No	No
Charkit Chemical Corp. Marketing Mgr., FAX 203-655-8643	8/15/2005	No	No	No
Eastman Chemical Co. Marketing Mgr., FAX 423-229-1673	8/15/2005	No	No	No

Hawkins Inc. Marketing Mgr., FAX 612-331-5304	8/15/2005	No	No	No
International Sourcing Inc. Marketing Mgr., FAX 201-560-1156	8/15/2005	No	No	No
International Specialty Products Marketing Mgr., FAX 973-872-1583	8/15/2005	No	No	No
JLM Marketing, Inc. Marketing Mgr., FAX 813-632-3301	8/15/2005	No	No	No
LANXESS Corporation Jamie Schaeffer 412-809-3666	8/15/2005	No	No	No
Los Angeles Chemical Co. Marketing Mgr., FAX 323-773-0909	8/15/2005	No	No	No
Nutrinova Nutrition Specialties Ingredients Robert R. Carpenter 202-443-8685	8/15/2005	No	No	No
Parchem Trading Ltd. Marketing Mgr., FAX 914-997-1025	8/15/2005	No	No	No
Penta Manufacturing Co. Marketing Mgr., FAX 973-740-1839	8/15/2005	No	No	No
Rit-Chem Co. Inc. Marketing Mgr., FAX 914-769-1408	8/15/2005	No	No	No
Ruger Chemical Co. Inc. Marketing Mgr., FAX 814-238-1567	8/15/2005	No	No	No
Surety Labs Marketing Mgr., FAX 908-755-0592	8/15/2005	No	No	No
Total Specialty Chemicals, Inc. Marketing Mgr., FAX 203-966-1505	8/15/2005	No	No	No
Troy Corporation Marketing Mgr., FAX 973-443-0853	8/15/2005	No	No	No
V.L. Clark Chemical Co. Marketing Mgr., FAX 636-583-5218	8/15/2005	No	No	No
Vopak USA Inc. Marketing Mgr., FAX 425-889-4100	8/15/2005	No	No	No
Westco Chemicals, Inc. Marketing Mgr., FAX 818-255-3650	8/15/2005	No	No	No

Technical comments:³

The Commission suggests that the article description in heading 9902.02.29 be amended to insert “oxide” after the chemical name in the existing article description, as shown on page 1 of this report.

³ 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
1ST SESSION

H. R. 2263

To extend the suspension of duty on 10'10' Oxybisphenoxarsine.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2005

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

A BILL

To extend the suspension of duty on 10'10'
Oxybisphenoxarsine.

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. 10'10' OXYBISPHENOXARSINE.**

4 (a) IN GENERAL.—Heading 9902.02.29 of the Har-
5 monized Tariff Schedule of the United States is amended
6 by striking “12/31/2006” and inserting “12/31/2009”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) applies to goods entered, or withdrawn from
9 warehouse for consumption, on or after the 15th day after
10 the date of the enactment of this Act.