

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: May 16, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4619 (Mr. Phil English of Pennsylvania).

**Proponent name,<sup>3</sup> location:** Rohm and Haas Company, Philadelphia, PA.

**Other bills on product (110<sup>th</sup> 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)):**

10,10'-Oxybisphenoxarsine (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 product is the active ingredient in formulated antimicrobial products that are used chiefly in plastic products that are 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. It is imported from Brazil<sup>4</sup> and China.

<sup>1</sup> Industry analyst preparing report: L. Johnson (202-205-3351); Tariff Affairs contact: D. Michels (202-205-3440).

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

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill.

<sup>4</sup> Imports of the subject product from Brazil are eligible for duty-free treatment under the Generalized System of Preferences.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2934.99.18</b>					
	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 9902.02.29 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 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	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Rohm and Haas Company (Proponent) Henry P. Stoebenau, 215-628-4919	03/24/2008	No	No	No
BASF Corp. Tom Coleman, 202-289-3900	03/24/2008	No	No	No
Bayer Corp. Karen Niedermeyer, 412-777-2058	03/24/2008	No	No	No
Dow Chemical Company Lisa Schroeter, 202-429-3400	03/24/2008	No	No	No
DuPont Elaine Olsen, 302-992-2263	03/24/2008	No	No	No
LANXESS Corp. Jamie B. Schaeffer, 412-809-3666	03/24/2008	No	No	No
Monsanto Corp. Linda Strachan, 202-383-2849	03/24/2008	No	No	No
Syngenta Crop Protection, Inc. Mike Blythe, 336-632-6000	03/24/2008	No	No	No
Valent U.S.A. Corp. Robin Demouth, 925-256-2758	03/24/2008	No	No	No

**Technical comments:**<sup>5</sup>

None.

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<sup>5</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.

110TH CONGRESS  
1ST SESSION

# H. R. 4619

To extend the temporary suspension of duty on 10,10'-Oxybisphenoxarsine.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

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## A BILL

To extend the temporary 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 “12/31/2009” and inserting “12/31/2011”.

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