

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress ¹**

[Date approved: October 26, 2006]²

Bill No. and sponsor: S. 3222 (Mr. Robert Menendez of New Jersey).

Proponent name, location: BASF Corporation, Florham Park, NJ.

Other bills on product (109th 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)):

Triphenyl phosphine (CAS No. 603-35-0) (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:

Triphenyl phosphine is a synthetic organo-inorganic compound that is used as an intermediate in the production of a variety of products including catalysts, which are used to produce pharmaceuticals, agricultural chemicals, and oxo alcohols. Triphenyl phosphine can also be an intermediate in the production of vitamin A. The subject product is imported from Germany.

Estimated effect on customs revenue:

HTS subheading: <u>2931.00.90</u>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$8,000,000	\$8,000,000	\$8,000,000	\$8,000,000	\$8,000,000
Customs revenue loss	\$296,000	\$296,000	\$296,000	\$296,000	\$296,000

Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

¹ Industry analyst preparing report: Philip Stone (202-205-3424); 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.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
BASF Corporation (Proponent) Steve Ziehm, 202-872-8181	08/03/2006	No	No	No
Abbott Elaine Leavenworth, Fax: 202-783-6631	08/17/2006	No	No	No
American Chemistry Council Jim O'Connor, Fax: 703-741-6922	08/17/2006	No	No	No
Bayer Corporation Julie Van Egmund, Fax: 202-737-8909	08/17/2006	No	No	No
Biddle Sawyer William Thonack, Fax: 212-239-1089	08/17/2006	No	No	No
Chemtura Carly Seymour, Fax: 202-463-8497	08/17/2006	No	No	No
Ciba Specialty Chemicals John Demming, Fax: 302-479-5152	08/17/2006	No	No	No
Clariant Corporation Andrew Zamoyski, Fax: 202-248-9043	08/17/2006	No	No	No
Dow Chemical Lisa Schroeter, Fax: 202-429-3467	08/17/2006	No	No	No
DuPont Elaine Olsen, 302-992-2263	08/17/2006	No	No	No
Eastman Chemical Company Jorge San Pedro, Fax: 703-524-7707	08/17/2006	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	08/17/2006	No	No	No
Honeywell International Art Simonetti, Fax: 202-662-2675	08/17/2006	No	No	No
Monsanto Corporation Michael Parrish, Fax: 202-789-1867	08/17/2006	No	No	No
Rhodia Dominick Cangiano, Fax: 609-860-2256	08/17/2006	No	No	No
Solutia Dan Jenkins, Sue Cannon, Fax: 314-674-1585	08/17/2006	No	No	No
Uniroyal Chemical Company Lloyd Moon, Fax: 203-573-4430	08/17/2006	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to correct the spelling in the chemical name. Also, the effective date should be "12/31/2009" rather than "12/31/09".

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
2^D SESSION

S. 3222

To suspend temporarily the duty on triphenol phosphine.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on triphenol phosphine.

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. TRIPHENOL PHOSPHINE.**

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:

“	9902.29.11		Triphenol phosphine (CAS No. 603-35-0) (provided for in subheading 2931.00.90)		Free		No change		No change		On or before 12/31/09	”.
---	------------	--	--	--	------	--	-----------	--	-----------	--	--------------------------	----

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

2

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

○