



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

4-tert-Butylcatechol with 85% water or methanol (CAS No. 98-29-3) (provided for in subheading 2907.29.90)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
- Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

The subject product is an organic chemical used in the storage and transportation of certain industrial monomers, including styrene and butadiene, which are then used to manufacture rubber, plastic, and vinyl products. Rhodia, the interested entity, is reportedly no longer pursuing this temporary duty suspension because it now produces the subject product domestically and no longer imports it. The subject product was imported from France.

IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	2907.29.90				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty or percentage point reduction (%)	5.5	5.5	5.5	5.5	5.5
Estimated value of <i>dutiable</i> imports (\$)	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
Customs revenue loss (\$)	82,500	82,500	82,500	82,500	82,500

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
- Provided by industry sources
- Industry information
- Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
- This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) Temporary rate (%) Percentage point reduction (%)

V. Technical comments

The description was changed to correct the chemical name

VI. Continuation

VII. Contacts with domestic firms/organizations

#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	Rhodia (Interested entity) Jackie Guscott	609-860-3379	Yes	Yes	No
2	3M Greg Walters	202-414-3008	No	No	No
3	Air Products Richard F. Goodstein	202-639-0840	No	No	No
4	Albaugh Stuart Feldstein	515-964-9444	No	No	No
5	Arkema David Kunz	202-263-3491	No	No	No
6	Ashland Frank Fusiak	973-628-4123	No	No	No
7	BASF Richard J. Salamone	973-895-8316	No	No	No
8	Bayer Steve Johnsen	412-777-5616	No	No	No
9	Celanese Samuel Ramirez	972-443-4689	No	No	No
10	Chemtura Elizabeth J. Thomasino	203-573-2644	No	No	No
11	Clariant Andrew Zamoyski	202-415-9159	No	No	No
12	ColorChem Steven Printz	770-993-5500, x18	No	No	No
13	Crowell & Moring, LLP Mike Gill	202-508-8843	No	No	No
14	DSM Sheetal Bhadekar	973-257-8323	No	No	No
15	Dixie Chemical Mal Johnson	281-291-2659	No	No	No
16	Dow Chemical Co. Lisa Schroeter	202-429-3407	No	No	No
17	Drexel Chemical Stanley Bernard	901-774-4370	No	No	No
18	DuPont Elaine M. Olsen	302-992-2263	No	No	No

#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
19	DyStar L.P. Megan Malone	202-344-4621	No	No	No
20	Eastman Brent Perry	202-347-9547	No	No	No
21	Emerald Performance Materials Thomas Dirmyer	330-916-6706	No	No	No
22	Evonik Russell Mait	804-452-5711	No	No	No
23	FMC Jerry Prout	202-956-5209	No	No	No
24	Fanwood Chemical V. M. (Jim) DeLisi	908-322-8440	No	No	No
25	Honeywell Art Simonetti	202-662-2671	No	No	No
26	Huntsman Robert F. Hurley	202-289-9800	No	No	No
27	Kemira Rajesh Sharma	678-819-4577	No	No	No
28	LANXESS Jamie B. Schaeffer	412-809-3666	No	No	No
29	Lonza Joe Robinson	201-316-9364	No	No	No
30	Milliken Kathi Dutilh	202-775-0084	No	No	No
31	Monsanto James K. Travis	202-383-2864	No	No	No
32	Nation Ford Chemical Jay Dickson	803-548-3210, x15	No	No	No
33	Nufarm Americas Joel Junker	206-621-7878	No	No	No
34	PPG Industries Bill Ries	412-434-1717	No	No	No
35	Procter & Gamble Matt Mattingley	202-841-5601	No	No	No
36	Purolite Gary Thundercliffe	484-384-2708	No	No	No
37	Royce Associates, ALP Terry Scheirer	201-438-5200	No	No	No

38	SOCMA Robert E. Branand	202-345-2717	No	No	No
39	Sensient Technologies Ken Goldacker	314-658-7363	No	No	No
40	Sigma-Aldrich Jared Fenton	314-286-8326	No	No	No
41	Solutia Kassie Wooton	314-674-3297	No	No	No
42	Solvay Andrew K. Jones	856-251-3412	No	No	No
43	Symrise Elizabeth Scharlat	908-429-6821	No	No	No
44	Syngenta Mike Blythe	336-632-2824	No	No	No
45	United Color Manufacturing Tom Nowakowski	215-860-2165	No	No	No
46	Valent Robin Demouth	925-256-2758	No	No	No

From: [Nesbitt, Elizabeth](#)
To: [Shepherdson, Daniel](#); [Johnson, Lawrence](#)
Subject: FW: H.R. 4919, H.R. 4920, H.R. 4921 & H.R. 4922
Date: Wednesday, June 06, 2012 3:31:32 PM
Attachments: [Rhodia Fact Sheets for Elli Nesbitt.zip](#)

Dan --

Note comments below about HR 4921.

Thanks,
Elli

From: Guscott, Jackie [mailto:Jackie.Guscott@us.rhodia.com]
Sent: Wednesday, June 06, 2012 3:28 PM
To: Nesbitt, Elizabeth
Subject: RE: H.R. 4919, H.R. 4920, H.R. 4921 & H.R. 4922

Hi Elli,

Thanks for the reminder and sorry for the delay. Please see the attached fact sheets. Let me know if you have any questions. I already submitted the info for HR 4440, 4441, and 4442, but it is included again here.

Please also note that as I was speaking to Rhodia's business managers and looking for information on these products, an issue with HR 4921 came to light. At the time of it's introduction, Rhodia intended to continue importing this product. Since then, the business decided it makes the most economic sense to begin manufacturing this product in the US. Therefore, we cannot support duty suspension on this product going forward. I'm going to talk to Sergio Espinosa about withdrawing the bill. I'll also contact Claire O'Rourke from Sen. Landrieu's office and ask them to do the same.

Let me know if you have other questions or if there is anything else I can do. Thanks!

Regards,

Jackie Guscott
Communications Specialist
Rhodia Inc.

Tel.: (609) 860-3379
Fax.: (609) 860-2250

From: Elizabeth.Nesbitt@usitc.gov [mailto:Elizabeth.Nesbitt@usitc.gov]
Sent: Tuesday, June 05, 2012 9:34 PM
To: Guscott, Jackie
Subject: FW: H.R. 4919, H.R. 4920, H.R. 4921 & H.R. 4922

Jackie –

Hi! I asked you this once before (see below) and I apologize if you responded and I missed your

answer! But do you have any of the factsheets for the Rhodia bills? Sergio Espinosa said (see below) that you would be the contact for Rhodia. I also called David Klucsik (he is listed on the disclosure forms) but his phone message says he is out until June 18.

My colleagues and I really need information about the following to be able to complete our reports: the uses of the product(s); estimates of the annual value of expected U.S. imports of the product(s) during 2013-17 and the sources (countries) of these imports.

You are probably in the middle of gathering all this information but if some are ready, could you please forward them? I particularly would appreciate the information for HR4722, HR4723, and HR4727.

Thank you very much!

Best regards,
Elli

From: Nesbitt, Elizabeth
Sent: Monday, May 28, 2012 6:22 PM
To: 'Jackie.guscott@us.rhodia.com'
Cc: Clark, Jeffrey; Greenblatt, Jack
Subject: H.R. 4919, H.R. 4920, H.R. 4921 & H.R. 4922

Hello –

I have been in touch with Sergio Espinosa and I understand that Rhodia is the company behind HR4919, HR4920, HR4921, and HR4922, and that you are the contact!

As you probably know, we at the U.S. International Trade Commission are preparing reports on the temporary duty suspension bills. To that end, please, we need the fact sheets for these bills (and any other temporary duty suspension bills Rhodia might have introduced). If you have any questions about the contents of a factsheet (e.g., estimates of the annual value of expected U.S. imports of the product during 2013-17 and the sources (countries) of these imports), please let me know! I know we have worked with Rhodia on such bills in the past but please let me remind you that our reports will be made public.

Thank you in advance for your help with this!

Best regards,
Elizabeth

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112TH CONGRESS
2D SESSION

S. 2517

To suspend temporarily the duty on tertibutyl catechol flakes and tertibutyl catechol with 85% water or methanol.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2012

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

A BILL

To suspend temporarily the duty on tertibutyl catechol flakes and tertibutyl catechol with 85% water or methanol.

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. TERTIOBUTYL CATECHOL FLAKES AND**
4 **TERTIOBUTYL CATECHOL WITH 85% WATER**
5 **OR METHANOL.**

6 (a) IN GENERAL.—Subchapter II of chapter 99 of
7 the Harmonized Tariff Schedule of the United States is
8 amended by inserting in numerical sequence the following
9 new heading:

“	9902.01.00	Tertiobutyl catechol flakes or tertiobutyl catechol with 85% water or methanol (CAS No. 98-29-3) (provided for in subheading 2907.29.90)	Free	No change	No change	On or before 12/31/2015	”.
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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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