

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. 2120 (Mr. Jerry Weller of Illinois).

Proponent name, location: BASF Corporation
Florham Park, NJ 07932

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

Nature of bill: To suspend the duty through December 31, 2008.

Retroactive effect: None.

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

Lycopene 10% (CAS No. 502-65-8) (provided for in subheading 2106.90.95).

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:

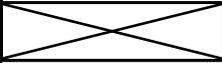
The subject compound is an organic antioxidant used to produce dietary supplements.

The subject compound is imported from Germany and Switzerland. There are multiple importers of lycopene at various concentrations.

¹ Industry analyst preparing report: Jeff Clark (202-205-3318); 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: 2106.90.95					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	10.0%	10.0%	10.0%	10.0%	10.0%
Estimated value <i>dutiable</i> imports	\$600,000	\$600,000	\$600,000	\$600,000	\$600,000
Customs revenue loss	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000

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)		
BASF Corporation (proponent) Tom Coleman, 202-289-3900	07/20/2005 07/25/2005 07/28/2005	No	No	No
Bayer Corporation Karen Niedermeyer, 412-777-2058	07/20/2005	No	No	No
Ciba Specialty Chemicals Michelle Forte, 914-785-2000	07/20/2005	No	No	No
DuPont Chemical Elaine Olsen, 302-992-2263	07/20/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used because it omits unnecessary information from the article description.

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. 2120

To suspend temporarily the duty on Lycopene 10% 25kg 4G 3.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2005

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

A BILL

To suspend temporarily the duty on Lycopene 10% 25kg
4G 3.

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. LYCOPENE 10% 25KG 4G 3.**

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:

“	9902.06.13	Lycopene 10% 25kg 4G 3 (CAS No. 502-65-8) (pro- vided for in subheading 2106.90.95)	Free	No change	No change	On or before 12/31/2008	”.
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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 enactment of this Act.

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