

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress <sup>1</sup>**

[Date approved: September 20, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2168 (Mr. Henry E. Brown Jr. of South Carolina)

**Proponent name, location:** Symrise Inc.  
Goose Creek, SC

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through 12/31/2008.

**Retroactive effect:** None.

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

The subject chemical (see below) is classified in HTS subheading 2918.11.50 and is eligible for a temporary duty suspension under HTS heading 9902.01.42.

**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:**

This product, 5-methyl-2-(1-methylethyl)cyclohexyl-2-hydroxypropanoate (lactic acid, menthyl ester) (Frescolat), is a synthetic organic chemical used as a fragrance raw material in industrial, household, and personal care products, and fine fragrance perfumes. It is also used as a cooling agent in mouthwash and other flavor related items. The product is imported from Germany and then formulated for sale in the domestic market. There are no known domestic suppliers of the chemical. Several domestic firms market products that compete with this chemical.

<sup>1</sup> Industry analyst preparing report: Richard Qualters (202-205-2334); Tariff Affairs contact: David Michels (202-205-3440).

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

**Estimated effect on customs revenue:**

<b>HTS subheading: 2918.11.50</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	3.4%	3.4%	3.4%	3.4%	3.4%
Estimated value <i>dutiable</i> imports	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000
Customs revenue loss <sup>1/</sup>	\$2,380	\$2,380	\$2,380	\$2,380	\$2,380

<sup>1/</sup> Revenue loss for 2005 and 2006 results from a current duty suspension per heading 9902.01.42.  
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)		
Symrise (Proponent) Jed D'Ercole, 202-835-0740	8/9/2005	No	No	No
Abbot Elaine Levenworth, Fax: 202-783-6631	8/9/2005	No	No	No
Albright & Wilson Susan Greenbaum, Fax: 804-968-6498	8/9/2005	No	No	No
BASF Corp. Fax: 202-682-9459	8/9/2005	No	No	No
Bayer Corp. Julie van Egmund, Fax: 202-737-8909	8/9/2005	No	No	No
Bayer Corp. Karen L. Niedermeyer, Fax: 412-777-4740	8/9/2005	No	No	No
Biddle Sawyer William Thonack, Fax: 212-239-1089	8/9/2005	No	No	No
American Chemistry Council Jim O'Connor, Fax: 703-741-6922	8/9/2005	No	No	No

Ciba Specialty Chemicals Michelle Forte, Fax: 914-785-4831	8/9/2005	No	No	No
Clariant Corp. Andrew Zamoyski, Fax: 401-823-2700	8/9/2005	No	No	No
E.I. DuPont Elaine Olsen, Fax: 302-892-7343	8/9/2005	No	No	No
Eastman Chemical Co. Greg Riddle, Fax: 703-524-7707	8/9/2005	No	No	No
Honeywell International Art Simonetti, Fax: 202-662-2675	8/9/2005	No	No	No
Monsanto Corp. Linda Strachan, Fax: 202-789-7867	8/9/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax:(202) 789-1867	8/9/2005	No	No	No
Noveon Tom Dirmyer, Fax: 214-415-6001	8/9/2005	No	No	No
Solutia Sue Cannon, Fax: 314-674-1585	8/9/2005	No	No	No
Solutia Dan Jenkins, Fax: 314-674-1585	8/9/2005	No	No	No
Uniroyal Chemical Co. Lloyd Moon, Fax: 203-573-4430	8/9/2005	No	No	No

**Technical comments:**<sup>3</sup> None.

<sup>3</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.

109TH CONGRESS  
1ST SESSION

# H. R. 2168

To extend the duty suspension on 5-Methyl-2-(methylethyl)cyclohexyl-2-hydroxypropanoate.

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IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2005

Mr. BROWN of South Carolina introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To extend the duty suspension on 5-Methyl-2-(methylethyl)cyclohexyl-2-hydroxypropanoate.

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. 5-METHYL-2-(METHYLETHYL)CYCLOHEXYL-2-**  
4 **HYDROXYPROPANOATE.**

5 (a) IN GENERAL.—Heading 9902.01.42 of the Har-  
6 monized Tariff Schedule of the United States (relating to  
7 5-Methyl-2-(methylethyl)cyclohexyl-2-hydroxypropanoate)  
8 is amended by striking “12/31/2006” and inserting “12/  
9 31/2008”.

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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