

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: October 24, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 3161 (Mr. Barack Obama of Illinois).

**Proponent name, location:** Honeywell International, Inc., Morristown, NJ.

**Other bills on product (109<sup>th</sup> 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)):**

Sebacic acid (CAS No. 111-20-6) (provided for in subheading 2917.13.00).

**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:**

Sebacic acid is used as a raw material in the production of antifreeze/coolants. It inhibits corrosion in an engine's cooling system. The subject product is imported from China, India, and Japan.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2917.13.00</b>					
	2006	2007	2008	2009	2010
<del>Col. 1-General rate of duty</del>	4.8%	4.8%	4.8%	4.8%	4.8%
Estimated value <i>dutiable</i> imports	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000
Customs revenue loss	\$480,000	\$480,000	\$480,000	\$480,000	\$480,000

Source of estimated dutiable import data: Official U.S. Government statistics.

<sup>1</sup> Industry analyst preparing report: Jeff Clark (202-205-3318); 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).

**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)		
Honeywell International, Inc. (Proponent) Art Simonetti, Fax: 202-662-2675	07/10/2006 07/13/2006 07/17/2006	No	No	No
Abbott Laboratories Elaine Leavenworth, Fax: 202-783-6631	07/25/2006	No	No	No
American Chemistry Council Jim O'Connor, Fax: 703-741-6922	07/25/2006	No	No	No
Ashland Chemical Mike Toohey, Fax: 202-293-2913	07/25/2006	No	No	No
Bayer Corp. Karen Niedermeyer, Fax: 412-777-4740	07/25/2006	No	No	No
Biddle Sawyer Corp. William Thonack, Fax: 212-239-1089	07/25/2006	No	No	No
Bristol Myers Squibb David Warr, Fax: 202-783-2308	07/25/2006	No	No	No
Ciba Specialty Chemicals Corp. John Demming, Fax: 302-479-5152	07/25/2006	No	No	No
Clariant Corporation Andrew Zamoyski, Fax: 202-248-9043	07/25/2006	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	07/25/2006	No	No	No
Eastman Chemical Jorge San Pedro, Fax: 703-524-7707	07/25/2006	No	No	No
Eli Lilly Kathryn Karol, Fax: 202-624-9460	07/25/2006	No	No	No
Gilead Sciences Cheryl Myriad, Fax: 650-522-5853	07/25/2006	No	No	No
GlaxoSmithKline Sara Froehlich, Fax: 202-715-1001	07/25/2006	No	No	No
Great Lakes Chemical Robert Lee, Fax: 765-497-6040	07/25/2006	No	No	No
Interferon Sciences, Inc. Samuel Ronel, Fax: 732-249-6895	07/25/2006	No	No	No
INVISTA, Inc. Mary Vane, Fax: 302-683-3495	07/25/2006	Yes	Yes	Yes
Lonza, Inc. Ray Esposito, Fax: 201-696-3487	07/25/2006	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/No)	
Merck & Co. Thomas Bombelles, Fax: 202-638-3670	07/25/2006	No	No	No
Monsanto Linda Strachan, Fax: 202-789-1867	07/25/2006	No	No	No
Niche Pharmaceuticals Steve Brandon, Fax: 817-491-3533	07/25/2006	No	No	No
Novartis Tracy Haller, Fax: 202-628-4763	07/25/2006	No	No	No
Noveon Tom Dirmyer, Fax: 216-447-5720	07/25/2006	No	No	No
Perstop Polyols, Inc. Jeff Jones, Fax: 419-729-3291	07/25/2006	No	No	No
Pfizer Katherine Bennett, Fax: 202-347-2044	07/25/2006	No	No	No
Procter & Gamble Jim McCarthy, Fax: 202-393-4606	07/25/2006	No	No	No
Rhodia Dominick Cangiana, Fax: 609-860-2256	07/25/2006	No	No	No
Schering-Plough Rob Lively, Fax: 202-463-8809	07/25/2006	No	No	No
Solutia Sue Cannon, Fax: 314-674-1585	07/25/2006	No	No	No
Tennant Co. Mary Heie, Fax: 763-513-1808	07/25/2006	No	No	No
Total Specialty Chemicals, Inc. Tad Acker, Fax: 203-966-1505	07/25/2006	No	No	No
Union Carbide Jim Murray, Fax: 202-347-1684	07/25/2006	No	No	No
Uniroyal Chemical Lloyd Moon, Fax: 203-573-4430	07/25/2006	No	No	No

**Technical comments:**<sup>3</sup>

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to reflect the correct HTS number as well as to correct the chemical description. The specific use is dropped because it is impossible to distinguish sebacic acid based on its intended end use.

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<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  
2D SESSION

# S. 3161

To suspend temporarily the duty on certain sebacic acid.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

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

## A BILL

To suspend temporarily the duty on certain sebacic acid.

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. CERTAIN SEBACIC ACID.**

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:

“	9902.29.18	Sebacic acid of a kind used as a corrosion inhibitor in engine coolants (CAS No. 111-20-6) (provided for in sub-heading 2917.30.00) .....	Free	No change	No change	On or before 12/31/2009	”.
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8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to goods entered, or withdrawn from

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

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