

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: April 8, 2010]²

Bill No. and sponsor: S. 1873 (Mr. Robert P. Casey, Jr. of Pennsylvania).

Proponent name,³ location: LANXESS Corporation, Pittsburgh, PA.

Other bills on product (111th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2012.⁴

Retroactive effect: None.

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

2,3-Dichloronitrobenzene (CAS No. 3209-22-1) (provided for in subheading 2904.90.47).

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 product is a synthetic organic chemical intermediate that is used to manufacture agricultural chemicals, one of which is the fungicide pentachloronitrobenzene (PCNB). The subject product is imported from Germany.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2904.90.47:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports ^a	\$475,316	\$493,835	\$493,835	\$493,835	\$493,835
Customs revenue loss ^b	\$26,142	\$27,161	\$27,161	\$27,161	\$27,161

a/ Dutiable import estimates were provided by industry.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

¹ Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David G. Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ Heading 9902.22.20 expired on December 31, 2009.

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)	
LANXESS Corporation (Proponent) Steve Ziehm, sziehm@ibgc.com	11/27/2009	No	No	No
BASF Corporation Greg Thies, Fax: 202-558-5101	11/27/2009	No	No	No
Bayer Corporation Karen L. Niedermeyer, Fax: 412-777-4740	11/27/2009	No	No	No
Biddle Sawyer William Thonack, Fax: 212-239-1089	11/27/2009	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 703-670-9313	11/27/2009	No	No	No
Ciba Specialty Chemicals Robert Hurley, Fax: 202-289-3588	11/27/2009	No	No	No
Clariant Corp. Andrew Zamoyski, Fax: 202-248-9043	11/27/2009	No	No	No
Dow Chemical Lisa Schroeter, Fax: 202-429-3467	11/27/2009	No	No	No
Dupont Helen C. McMahon, Fax: 302-355-2994	11/27/2009	No	No	No
Eastman Chemical Company Gregg Riddle, Fax: 212-835-1621	11/27/2009	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	11/27/2009	No	No	No
Galaxie Chemical Corp. Michael Santoro, Jr., Fax: 973-790-7104	11/27/2009	No	No	No
Honeywell Int'l Art Simonetti, Fax: 202-662-2675	11/27/2009	No	No	No
Huntsman Corp. John Deming, Fax: 302-479-5499	11/27/2009	No	No	No
Mason Color Works, Inc. Ann Mason Herdman, Fax: 330-385-4488	11/27/2009	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	11/27/2009	No	No	No
PMC Inc. Gordon McCullough, Fax: 513-482-7884	11/27/2009	No	No	No
Rhodia Corp. Dominick Cangiano, Fax: 609-860-2256	11/27/2009	No	No	No
Solutia Inc. Kassie D. Wooten, Fax: 314-674-1585	11/27/2009	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
(Yes/No)				
Sun Chemical Corp. Steve Schmidt, Fax: 513-681-4960	11/27/2009	No	No	No

Technical comments:⁵ None.

⁵ 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.

111TH CONGRESS
1ST SESSION

S. 1873

To extend the temporary suspension of duty on 2,3-Dichloronitrobenzene.

IN THE SENATE OF THE UNITED STATES

OCTOBER 26, 2009

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

A BILL

To extend the temporary suspension of duty on 2,3-
Dichloronitrobenzene.

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. 2,3-DICHLORONITROBENZENE.**

4 (a) IN GENERAL.—Heading 9902.22.20 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 2,3-Dichloronitrobenzene) is amended by striking “12/31/
7 2009” and inserting “12/31/2012”.

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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