

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: May 20, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2322 (Mr. John F. Kerry of Massachusetts et al.).

**Proponent name,<sup>3</sup> location:** H.C. Starck Inc., Newton, MA.

**Other bills on product (111<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2011.<sup>4</sup>

**Retroactive effect:** None.

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

3,4-Ethylenedioxythiophene (CAS No. 126213-50-1) (provided for in subheading 2934.99.90).

**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 used by the electronics industry in the production of capacitors, printed circuit boards, and electrostatic and antistatic coatings for films. The product is imported from Germany.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2934.99.90:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$170,000	\$160,000	\$150,000	\$150,000	\$150,000
Customs revenue loss <sup>b</sup>	\$11,050	\$10,400	\$9,750	\$9,750	\$9,750

a/ Dutiable import estimates were provided by industry sources.

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

<sup>1</sup> Industry analyst preparing report: Elizabeth R. Nesbitt (202-205-3355); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

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

<sup>4</sup> Heading 9902.29.87 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)		
H.C. Starck Inc. (Proponent) David Ross, <a href="mailto:david.ross@hcstarck.com">david.ross@hcstarck.com</a>	12/01/2009	No	No	No
3M Company Megan Ivory Carr, <a href="mailto:mmivory@mmm.com">mmivory@mmm.com</a>	11/30/2009	No	No	No
BASF Corporation Gregory A. Thies, <a href="mailto:gregory.thies@basf.com">gregory.thies@basf.com</a>	11/30/2009	No	No	No
Bayer Corporation Karen Niedermeyer, <a href="mailto:karen.niedermeyer.b@bayer.com">karen.niedermeyer.b@bayer.com</a>	11/30/2009	No	No	No
Chemtura Corp. Lloyd N. Moon, <a href="mailto:lloyd.moon@chemtura.com">lloyd.moon@chemtura.com</a> Matt Mattingley, <a href="mailto:matt@mattingleygroup.com">matt@mattingleygroup.com</a>	11/30/2009	No	No	No
Ciba Specialty Chemicals Michelle Forte, <a href="mailto:Michelle.Forte@cibasc.com">Michelle.Forte@cibasc.com</a>	11/30/2009	No	No	No
Daikin America Inc. Gary Stanitis, <a href="mailto:gstanitis@daikin-america.com">gstanitis@daikin-america.com</a>	11/30/2009	No	No	No
Dow Chemical Co. Lisa Schroeter, <a href="mailto:LMSchroeter@dow.com">LMSchroeter@dow.com</a> Max Turnipseed, <a href="mailto:mctint@att.net">mctint@att.net</a>	11/30/2009	No	No	No
DuPont Elaine M. Olsen, <a href="mailto:Elaine.M.Olsen@USA.dupont.com">Elaine.M.Olsen@USA.dupont.com</a>	11/30/2009	No	No	No
Evonik Industries AG Russell Mait, <a href="mailto:russell.mait@evonik.com">russell.mait@evonik.com</a>	11/30/2009	No	No	No
Fanwood Chemical Inc. V. M. (Jim) DeLisi, <a href="mailto:JdeLisi@fanwoodchemical.com">JdeLisi@fanwoodchemical.com</a>	11/30/2009	No	No	No
Freudenberg-NOK Ronald Guest, <a href="mailto:rsg@fnacc.com">rsg@fnacc.com</a>	11/30/2009	No	No	No
MIC Specialty Chemicals Inc. Joe Santora, <a href="mailto:joe.santora@mic-spe.com">joe.santora@mic-spe.com</a>	11/30/2009	No	No	No
Monsanto Company Michael Parrish, <a href="mailto:Michael.Parrish@monsanto.com">Michael.Parrish@monsanto.com</a>	11/30/2009	No	No	No
Nisso America Inc. Toshiyuki Iwama, <a href="mailto:t.iwama@nissoamerica.com">t.iwama@nissoamerica.com</a>	11/30/2009	No	No	No
Solutia Inc. Bob Hurley, <a href="mailto:Rhurley@TheAccordGroup.com">Rhurley@TheAccordGroup.com</a> and Kassie Wooton, <a href="mailto:KDWoot@solutia.com">KDWoot@solutia.com</a>	11/30/2009	No	No	No

**Technical comments:**<sup>5</sup> None.

<sup>5</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.

111TH CONGRESS  
1ST SESSION

# S. 2322

To extend the temporary suspension of duty on 3,4-Ethylenedioxythiophene.

---

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. KERRY (for himself, Mr. KIRK, and Mr. GRAHAM) 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 3,4-Ethylenedioxythiophene.

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. 3,4-ETHYLENEDIOXYTHIOPHENE.**

4 (a) IN GENERAL.—Heading 9902.29.87 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 3,4-Ethylenedioxythiophene) is amended by striking the  
7 date in the effective period column and inserting “12/31/  
8 2011”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 subsection (a) applies to goods entered, or withdrawn from

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

○