

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: June 22, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2464 (Mr. John Cornyn of Texas).

**Proponent name,<sup>3</sup> location:** Chevron Phillips Chemical Company, The Woodlands, TX.

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

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

2-Hydroxyethyl-n-octyl sulfide (CAS No. 3547-33-9) (provided for in subheading 2930.90.91).

**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 an intermediate that is used in the production of proprietary lubricant additives that are used in transmission fluid formulations for the automotive industry. The product is imported from Belgium.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2930.90.91:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Customs revenue loss <sup>b</sup>	\$74,000	\$74,000	\$74,000	\$74,000	\$74,000

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.

**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)	
Chevron Phillips Chemical Company (Proponent) Linda B. Koenig, <a href="mailto:KOENILI@cpchem.com">KOENILI@cpchem.com</a>	02/10/2010	No	No	No
3M Company Megan Ivory Carr, <a href="mailto:mmivory@mmm.com">mmivory@mmm.com</a>	02/10/2010	No	No	No
Air Products and Chemicals, Inc. Richard F. Goodstein, <a href="mailto:GOODSTRF@airproducts.com">GOODSTRF@airproducts.com</a>	02/22/2010	No	No	No
BASF Corporation Gregory A. Thies, <a href="mailto:gregory.thies@basf.com">gregory.thies@basf.com</a>	02/10/2010	No	No	No
Bayer Corporation Karen Niedermeyer, <a href="mailto:karen.niedermeyer.b@bayer.com">karen.niedermeyer.b@bayer.com</a>	02/10/2010	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>	02/10/2010	No	No	No
Ciba Specialty Chemicals Michelle Forte, <a href="mailto:Michelle.Forte@cibasc.com">Michelle.Forte@cibasc.com</a>	02/10/2010	No	No	No
Daikin America Inc. Gary Stanitis, <a href="mailto:gstanitis@daikin-america.com">gstanitis@daikin-america.com</a>	02/10/2010	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>	02/10/2010	No	No	No
DuPont Brian Curtis, <a href="mailto:Brian.Curtis@usa.dupont.com">Brian.Curtis@usa.dupont.com</a>	02/10/2010	No	No	No
Eastman Chemical Co. Brent Perry, <a href="mailto:bperry@eastman.com">bperry@eastman.com</a>	02/10/2010	No	No	No
Evonik Industries AG Russell Mait, <a href="mailto:russell.mait@evonik.com">russell.mait@evonik.com</a>	02/10/2010	No	No	No
Fanwood Chemical Inc. V. M. (Jim) DeLisi, <a href="mailto:JdeLisi@fanwoodchemical.com">JdeLisi@fanwoodchemical.com</a>	02/10/2010	No	No	No
GFS Chemicals John Long, <a href="mailto:JohnL@gfschemicals.com">JohnL@gfschemicals.com</a>	02/10/2010	No	No	No
LANXESS Corporation Jamie Schaeffer, <a href="mailto:jamie.schaeffer@lanxess.com">jamie.schaeffer@lanxess.com</a>	02/10/2010	No	No	No
Monsanto Company Michael Parrish, <a href="mailto:Michael.Parrish@monsanto.com">Michael.Parrish@monsanto.com</a>	02/10/2010	No	No	No
Solutia Inc. Bob Hurley, <a href="mailto:Rhurley@TheAccordGroup.com">Rhurley@TheAccordGroup.com</a> Kassie Wooton, <a href="mailto:KDWoot@solutia.com">KDWoot@solutia.com</a>	02/10/2010	No	No	No

**Technical comments:**<sup>4</sup> None.

<sup>4</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. 2464

To suspend temporarily the duty on 2-hydroxyethyl-n-octyl sulfide.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

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## A BILL

To suspend temporarily the duty on 2-hydroxyethyl-n-octyl sulfide.

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-HYDROXYETHYL-N-OCTYL SULFIDE.**

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:

“	9902.01.00	2-Hydroxyethyl-n-octyl sulfide (CAS No. 3547-33-9) (provided for in subheading 2930.90.91) .....	Free	No change	No change	On or before 12/31/2011	”.
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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 the enactment of this Act.

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