

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress**<sup>1</sup>

[Date approved: May 14, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4510 (Mr. Rush D. Holt of New Jersey).

**Proponent name,<sup>3</sup> location:** Firmenich, Inc., Plainsboro, NJ.

**Other bills on product (110<sup>th</sup> Congress only):** H.R. 4409 (Mr. Dan Burton of Indiana).

**Nature of bill:** Extension of temporary duty suspension through December 31, 2012.

**Retroactive effect:** None.

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

Dimethyl malonate (CAS No. 108-59-8) (provided for in subheading 2917.19.70).

**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 that is used as a fragrance base in perfumery products. It is imported from Germany and China.

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); 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/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill. USITC staff identified 1 additional beneficiary of this bill that was not identified by the sponsor/proponent, and that beneficiary submitted a written representation that it would benefit from this bill.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2917.19.70</b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty (AVE)	4.0%	4.0%	4.0%	4.0%	4.0%
Estimated value <i>dutiable</i> imports	\$10,400,000	\$10,400,000	\$10,400,000	\$10,400,000	\$10,400,000
Customs revenue loss 1/	\$0	\$416,000	\$416,000	\$416,000	\$416,000

1/ There is an existing duty suspension under HTS heading 9902.23.49 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

Source of estimated dutiable import data: U.S. industry estimates.

**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)	
Firmenich, Inc. (Proponent) Bret Garson, 202-835-0740	2/28/2008	No	No	No
Abbott Laboratories Elaine Leavenworth, Fax: 202-783-6631	3/7/2008	No	No	No
American Chemistry Council Marty Durbin, Fax: 703-741-6097	3/7/2008	No	No	No
Apollo Color, Inc. Dave Klebine, Fax: 815-741-2599	3/7/2008	No	No	No
BASF Frank ArditeI, Fax: 732-321-0250 Greg Thies, Fax: 202-558-5101 David Bushnell, Fax: 301-654-8336	3/7/2008	No	No	No
Bayer Chemicals Julie Van Egmund, Fax: 202-73.7-8909 Karen L. Niedermeyer, Fax: 412-777-4740	3/7/2008	No	No	No
Biddle Sawyer William Thonack, Fax: 212-239-1089	3/7/2008	No	No	No
Chemtura Corp. Matt Mattingley, Fax: 202-463-8497 Lloyd Moon, Fax: 203-573-2686	3/7/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Ciba Specialty Chemicals Robert Hurley, Fax: 202-289-3588 Michelle Forte, Fax: 914-785-4831	3/7/2008	No	No	No
Clariant Corp. Andy Zamoyski, Fax: 202-248-9043 Mike Carroll, Fax: 704-370-6969	3/7/2008	No	No	No
Dow Chemicals Lisa Schroeter, 202-429-3467	3/7/2008	No	No	No
DuPont Helen C. McMahon, Fax: 302-355-2994	3/7/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	3/7/2008	No	No	No
Everlight USA, Inc. Scott Chen, Fax: 704-588-0051	3/7/2008	No	No	No
Fanwood Chemical Jim DeLisi, Fax: 908-322-8494	3/7/2008	No	No	No
Galaxie Chemical Corp. Michael Santoro, Jr., Fax: 973-790-7104	3/7/2008	No	No	No
Gilead Sciences Cheryl Myriad, Fax: 650-522-5853	3/7/2008	No	No	No
Givaudan-Roure Corp. Diane Koenig, Fax: 973-448-6532	3/7/2008	No	No	No
Honeywell Art Simonetti, Fax: 202-662-2675	3/7/2008	No	No	No
Huntsman Corp. John Deming, Fax: 302-479-5499	3/7/2008	No	No	No
International Flavors & Fragrances Tom Kinlin, Fax: 732-335-2244	3/7/2008	No	No	No
Kalsec, Inc. President, Fax: 269-382-3060	3/7/2008	No	No	No
Koch Industries Ron Osman, Fax: 361-242-8353	3/7/2008	No	No	No
LANXESS Corp. Jamie Schaeffer, Fax: 412-809-3614	3/7/2008	No	No	No
Lonza, Inc. Ray Esposito, Fax: 201-696-3487	3/7/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	3/7/2008	No	No	No
Penta Mfg. Co. George Volpe, Fax: 973-740-1839	3/7/2008	No	No	No
PMC Inc. Gordon McCollough, Fax: 513-482-7884	3/7/2008	No	No	No
Rhodia Dominick Cangiana, Fax: 609-860-2256	3/7/2008	No	No	No
Solutia, Inc. Kassie D. Wooten, Fax: 314-674-1585	3/7/2008	No	No	No
Sun Chemical Corp. Steve Schmidt, Fax: 513-681-4960	3/7/2008	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.

110TH CONGRESS  
1ST SESSION

# H. R. 4510

To extend the temporary suspension of duty on Dimethyl malonate.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2007

Mr. HOLT introduced the following bill; which was referred to the Committee  
on Ways and Means

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## A BILL

To extend the temporary suspension of duty on Dimethyl  
malonate.

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. DIMETHYL MALONATE.**

4       (a) IN GENERAL.—Heading 9902.23.49 of the Har-  
5       monized Tariff Schedule of the United States is amended  
6       by striking “12/31/2009” and inserting “12/31/2012”.

7       (b) EFFECTIVE DATE.—The amendment made by  
8       subsection (a) applies with respect to goods entered, or  
9       withdrawn from warehouse for consumption, on or after  
10      the 15th day after the date of the enactment of this Act.