

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: October 6, 2008]²

Bill No. and sponsor: H.R. 5385 (Mr. Henry Brown of South Carolina).

Proponent name,³ location: Symrise Inc., Goose Creek, SC.

Other bills on product (110th 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)):

1,2-Pentanediol (CAS No. 5343-92-0) (provided for in subheading 2905.39.90).

Check one: ___ Same as that in bill as introduced.
 X 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 cosmetics additive. The product is imported from Germany.

Estimated effect on customs revenue:

HTS subheading: 2905.39.90					
 	2009	2010	2011	2012	2013
Col. 1-General rate of duty	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$6,000,000	\$6,500,000	\$6,500,000	\$7,000,000	\$7,000,000
Customs revenue loss	\$330,000	\$357,500	\$357,500	\$385,000	\$385,000

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

¹ Industry analyst preparing report: Jeff Clark (202-205-3318); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ 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?
Symrise Inc. (Proponent) Brett Garson, brettg@sda-inc.com	5/6/2008 5/7/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	5/13/2008	No	No	No
Avecia Mike Gill, MGill@crowell.com	5/13/2008	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	5/13/2008	No	No	No
Ciba Specialty Chemicals Corp. Robert Hurley, Fax: 202-289-3588	5/13/2008	No	No	No
Clariant Corporation Andrew Zamoyski, Fax: 202-248-9043	5/13/2008	No	No	No
ColorChem Steve Printz, Fax: 770-993-4780	5/13/2008	No	No	No
Dixie Chemical Co. Malcolm Johnson, 713-863-1947	5/21/2008	No	No	No
Dow Chemical Max Turnipseed, Fax: 225-383-0590	5/13/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	5/13/2008	No	No	No
Firmenich, Inc. Laura Heybur, Fax: 609-452-8063	5/14/2008	No	No	No
Givaudan Fragrances Corp. Diane Koenig, Fax: 973-448-6624	5/14/2008	No	No	No
International Flavors & Fragrance Tom Kinlin, Fax: 732-335-2244	5/14/2008	No	No	No
Kalsec, Inc. Ted Lupina, tlupina@kalsec.com	5/14/2008	No	No	No
Koch Industries Ron Osman, Fax: 361-242-8353	5/14/2008	No	No	No
LANXESS Jamie Schaeffer, Fax: 412-809-3614	5/13/2008	No	No	No
Lubrizol Gregory Perun, glp@lubrizol.com	5/13/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Penta Mfg. Co. George Volpe, Fax: 973-740-1839	5/14/2008	No	No	No
Sigma-Aldrich Co. Cynthia Hening, 414-438-3850, x-5396 Jared Fenton, jared.fenton@sial.com	5/13/2008 5/14/2008	No	No	No

Technical comments:⁴

The Commission staff recommends that the article description on page 1 of this report be used in the proposed new heading in order to provide the correct CAS number and to insert a hyphen between “1,2” and “Pentanediol”.

⁴ 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
2^D SESSION

H. R. 5385

To suspend temporarily the duty on 1,2 Pentanediol.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2008

Mr. BROWN of South Carolina introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on 1,2 Pentanediol.

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. 1,2 PENTANEDIOL.**

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	1,2 Pentanediol (CAS No. 5343-02-0) (provided for in subheading 2905.39.90)	Free	No change	No change	On or before 12/31/2011	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 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.

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