

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: October 12, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 1959 (Mr. Richard H. Baker of Louisiana).

**Proponent name, location:** Rhodia Inc., Cranbury, NJ

**Other bills on product (109<sup>th</sup> Congress only):** H.R. 2244, H.R. 2493, and S. 1476.

**Nature of bill:** Temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

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

Glyoxylic acid (CAS No. 298-12-4) (provided for in subheading 2918.30.90)

**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:**

Glyoxylic acid is a synthetic organic chemical used as a raw material at the proponent's Baton Rouge, Louisiana plant, which produces several major flavor and fragrance chemicals (vanillin and ethyl vanillin) as well as other synthetic organic intermediate chemicals. The proponent purchases this product from another U.S. firm that imports it from Europe and China.

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<sup>1</sup> Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Michels (202-205-3352).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: 2918.30.90</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$19,000,000	\$19,000,000	\$20,000,000	\$20,000,000	\$20,000,000
Customs revenue loss	\$703,000	\$703,000	\$740,000	\$740,000	\$740,000

Source of estimated dutiable import data: Industry estimates and Commission estimates.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Rhodia Inc. (proponent) Rick Valentine StevenV@PrestonGates.com	8/18/2005	No	No	No
Rhodia Inc. (proponent) Dominick Cangiana Fax: 609-860-1841	8/26/2005	No	No	No
American Chemistry Council Jim O'Connor Fax: 703-741-6922	8/26/2005	No	No	No
Bayer Karen Niedermeyer Fax: 412-777-4740	8/26/2005	No	No	No
Bayer MaterialScience LLC Julie Von Egmund Fax: 202-737-8908	8/26/2005	No	No	No
Biddle Sawyer William Thonack Fax: 212-239-1089	8/26/2005	No	No	No
Ciba Specialty Chemicals John Deming Fax: 302-479-5152	8/26/2005	No	No	No
Clariant Corp. Andrew Zamoyski Fax 401-823-2700	8/26/2005	No	No	No

E.I DuPont Nancy Johnson Fax: 202-728-3649	8/26/2005	No	No	No
E.I DuPont Elaine Olson Fax: 302-892-7343	8/26/2005	No	No	No
Eastman Chemical Co. Greg Riddle Fax: 703-524-7707	8/26/2005	No	No	No
Eastman Chemical Co. Jorge San Pedro Fax: 703-524-7707	8/26/2005	No	No	No
Honeywell International Art Simonetti Fax: 202-662-2675	8/26/2005	No	No	No
Monsanto Linda Strachan Fax: 202-789-1867	8/26/2005	No	No	No
Monsanto Michael Parrish Fax: 202-789-1867	8/26/2005	No	No	No
Noveon Tom Dirmyer Fax: 214-415-6001	8/26/2005	No	No	No
Solutia Sue Cannon Fax: 314-674-1585	8/26/2005	No	No	No
Solutia Dan Jenkins Fax: 314-674-1585	8/26/2005	No	No	No
Uniroyal Lloyd Moon Fax: 203-573-4430	8/26/2005	No	No	No

**Technical comments:<sup>3</sup>**

There is already an existing (although expired) provision for glyoxylic acid under HTS heading 9902.29.13. The Commission suggests that heading 9902.29.13 be used for the proposed duty suspension by striking the effective date and inserting "12/31/2008" in lieu thereof.

<sup>3</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.

109TH CONGRESS  
1ST SESSION

# H. R. 1959

To suspend temporarily the duty on glyoxylic acid.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2005

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

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## A BILL

To suspend temporarily the duty on glyoxylic acid.

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. GLYOXYLIC ACID.**

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:

“	9902.04.91	Glyoxylic acid (CAS No. 298–12–4) (provided for in subheading 2918.30.90) .....	Free	No change	No change	On or before 12/31/2008	”.
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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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