

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: June 1, 2006]²

Bill No. and sponsor: H.R. 3415 (Mr. Brian Baird of Washington).

Proponent name, location: Solvay Chemicals, Inc., Houston, TX.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2009.

Retroactive effect: None.

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

Magnesium peroxide, minimum 25 percent purity (CAS No. 1335-26-8) (provided for in subheading 2816.10.00).

Check one: Same as that in bill as introduced.
 Different from that in bill as introduced (see Technical comments section).

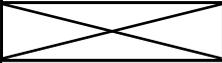
Product information, including uses/applications and source(s) of imports:

The subject chemical's main use is in petroleum exploration, where it is used to decompose polymers added during drilling. A different formulation of magnesium peroxide is used in the bioremediation of soil and groundwater. The subject chemical, some of whose applications are covered by patents, is imported from Germany.

¹ Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3440).

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

Estimated effect on customs revenue:

HTS subheading: 2816.10.00					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	3.1%	3.1%	3.1%	3.1%	3.1%
Estimated value <i>dutiable</i> imports	\$1,025,000	\$1,025,000	\$1,025,000	\$1,025,000	\$1,025,000
Customs revenue loss	\$31,775	\$31,775	\$31,775	\$31,775	\$31,775

Source of estimated dutiable import data: Industry 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)		
Solvay Chemicals, Inc. (Proponent) Max Turnipseed, Tel: 225-338-0310	11/21/2005	No	No	No
Aithaca Corp. Eric Kastens, Tel: 516-229-2330	11/22/2005	No	No	No
Alcan Chemicals Andrew Derosa, Tel: 203-541-9200	11/22/2005	No	No	No
Hummel Croton Gail Mulligan, Tel: 908-754-1800	11/22/2005	No	No	No
Regenesis Brian Vigue, Tel: 949-366-8000	11/22/2005	No	No	No
Wilshire Chemicals Lee Williams, Tel: 310-323-9232	11/22/2005	No	No	No
World Metal LLC./Ingraham David Amundson, Tel: 201-767-0414	11/22/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading as it provides a more appropriate description of the product.

³ 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. 3415

To suspend temporarily the duty on mixture of magnesium peroxide and magnesium oxide containing 35 percent magnesium peroxide.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2005

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

A BILL

To suspend temporarily the duty on mixture of magnesium peroxide and magnesium oxide containing 35 percent magnesium peroxide.

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. MIXTURE OF MAGNESIUM PEROXIDE AND MAG-**
4 **NESIUM OXIDE CONTAINING 35 PERCENT**
5 **MAGNESIUM PEROXIDE.**

6 (a) IN GENERAL.—Subchapter II of chapter 99 of
7 the Harmonized Tariff Schedule of the United States is
8 amended by inserting in numerical sequence the following
9 new subheading:

“	9902.28.02	Mixture of magnesium peroxide and magnesium oxide containing 35 percent magnesium peroxide (CAS No. 1335-26-8) (provided for in subheading 2816.10.00)	Free	No change	No change	On or before 12/31/2009	”.
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1 (b) **EFFECTIVE DATE.**—The amendment made by
2 this section shall apply with respects to goods entered, or
3 withdrawn from warehouse for consumption, on or after
4 the 15th day after the date of enactment of this Act.

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