

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: March 10, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4269 (Mr. Pete Sessions of Texas).

**Proponent name,<sup>3</sup> location:** Celanese Corporation, Dallas, TX.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Extend temporary duty reduction through December 31, 2011.

**Retroactive effect:** None.

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

Sorbic acid (CAS No. 110-44-1) (provided for in subheading 2916.19.20).

**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:**

Sorbic acid is a synthetic organic white crystalline solid that is chiefly used as an antimicrobial in food and beverage products. The chemical is imported primarily from China, Japan, and Germany.

---

<sup>1</sup> Industry analyst preparing report: Jeff Clark (202-205-3318); 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.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2916.19.20</b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty (AVE)	4.2%	4.2%	4.2%	4.2%	4.2%
Estimated value <i>dutiable</i> imports	\$30,000,000	\$30,000,000	\$30,000,000	\$30,000,000	\$30,000,000
Customs revenue loss 1/ 2/	\$690,000	\$690,000	\$690,000	\$690,000	\$690,000

1/ The estimated customs revenue loss is based on a temporary reduction of the general rate of duty from 4.2 percent ad valorem to 1.9 percent ad valorem, a reduction of 2.3 percentage points.

2/ The estimated customs revenue loss for 2009 reflects the existing duty reduction under HTS heading 9902.10.25 that expires on December 31, 2009.

Source of estimated dutiable import data: Official U.S. Government statistics.

**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?
Celanese Corporation (Proponent) Karen Sewell, 972-443-4425 Judy Gomez, judy.gomez@celanese.com	1/21/2008 1/31/2008 2/1/2008 2/4/2008	No	No	No
Aceto Corporation Marketing Mgr., Fax: 516-627-6093	1/23/2008	No	No	No
Alfa Aesar Marketing Mgr., Fax: 978-521-6366	1/23/2008	No	No	No
American Tartaric Products, Inc. Marketing Mgr., Fax: 914-834-4611	1/23/2008	No	No	No
Charkit Chemical Corp. Briant Hinnant, Fax: 203-299-1355	1/25/2008	No	No	No
Eastman Chemical Greg Riddle, Fax: 212-835-1621	2/5/2008	No	No	No
Firmenich, Inc. Laura Heybur, Fax: 609-452-8063	1/25/2008	No	No	No
Givaudian-Roure Co. Diane Koenig, Fax: 973-448-6532	1/25/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Hawkins Inc. Marketing Mgr., Fax: 612-331-5304	1/23/2008	No	No	No
International Flavors & Fragrance Tom Kinlin, Fax: 732-335-2244	1/25/2008	No	No	No
International Sourcing Inc. Marketing Mgr., Fax: 201-560-1156	1/23/2008	No	No	No
International Specialty Products Marketing Mgr., Fax: 973-872-1583	2/1/2008	No	No	No
JLM Marketing, Inc. Marketing Mgr., Fax: 813-632-3301	1/23/2008	No	No	No
Jungbunlauer Inc. Marketing Mgr., Fax: 617-964-2921	2/1/2008	No	No	No
Kalsec, Inc. Bob Monk, Fax: 269-382-3060	1/25/2008	No	No	No
Koch Industries Ron Osman, Fax: 361-242-8353	1/25/2008	No	No	No
Los Angeles Chemical Co. Marketing Mgr., Fax: 323-773-0909	1/23/2008	No	No	No
Lubrizol Gregory Perun, Fax: 832-260-7340	1/25/2008	No	No	No
Parchem Trading Ltd. Marketing Mgr., Fax: 914-997-1025	1/23/2008	No	No	No
Penta Manufacturing Co. George Volpe, Fax: 973-740-1839	1/25/2008 2/1/2008	No	No	No
Rit-Chem Co. Inc. Marketing Mgr., Fax: 914-769-1408	1/23/2008	No	No	No
Ruger Chemical Co. Inc. Marketing Mgr., Fax: 814-238-1567	1/23/2008	No	No	No
Surety Labs Marketing Mgr., Fax: 908-755-0592	2/1/2008	No	No	No
Total Specialty Chemicals, Inc. Marketing Mgr., Fax: 203-966-1505	2/1/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
V.L. Clark Chemical Co. Marketing Mgr., Fax: 636-583-5218	1/23/2008	No	No	No
Vopak USA Inc. Marketing Mgr., Fax: 425- 889-4100	1/23/2008	No	No	No
Westco Chemicals, Inc. Marketing Mgr., Fax: 818-255-3650	1/23/2008	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. 4269

To reduce temporarily the duty on sorbic acid.

---

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2007

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

---

## A BILL

To reduce temporarily the duty on sorbic 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. SORBIC ACID.**

4 (a) IN GENERAL.—Heading 9902.10.25 of the Har-  
5 monized Tariff Schedule of the United States is amended  
6 by striking “12/31/2009” and inserting “12/31/2011”.

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