

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: April 29, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2136 (Mr. Lamar Alexander of Tennessee et al.).

**Proponent name,<sup>3</sup> location:** Eastman Chemical Co., Kingsport, TN.

**Other bills on product (111<sup>th</sup> 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)):**

Neopentyl glycol (mono) hydroxypivalate (CAS No. 1115-20-4) (provided in subheading 2915.90.50).

**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 used in the manufacture of fine chemicals. The product is imported from Germany.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2915.90.50:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	3.8%	3.8%	3.8%	3.8%	3.8%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000
Customs revenue loss <sup>b</sup>	\$45,600	\$45,600	\$45,600	\$45,600	\$45,600

a/ Dutiable import estimates were provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

<sup>1</sup> Industry analyst preparing report: Elizabeth R. Nesbitt (202-205-3355); 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/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> 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?
		(Yes/No)		
Eastman Chemical Co. (Proponent) Brent Perry, <a href="mailto:bperry@eastman.com">bperry@eastman.com</a>	01/09/2010	No	No	No
3M Company Megan Ivory Carr, <a href="mailto:mmivory@mmm.com">mmivory@mmm.com</a>	01/09/2010	No	No	No
BASF Corporation Gregory A. Thies, <a href="mailto:gregory.thies@basf.com">gregory.thies@basf.com</a>	01/09/2010	No	No	No
Bayer Corporation Karen Niedermeyer, <a href="mailto:karen.niedermeyer.b@bayer.com">karen.niedermeyer.b@bayer.com</a>	01/09/2010	No	No	No
Chemtura Corp. Lloyd N. Moon, <a href="mailto:lloyd.moon@chemtura.com">lloyd.moon@chemtura.com</a> Matt Mattingley, <a href="mailto:matt@mattingleygroup.com">matt@mattingleygroup.com</a>	01/09/2010	No	No	No
Ciba Specialty Chemicals Michelle Forte, <a href="mailto:Michelle.Forte@cibasc.com">Michelle.Forte@cibasc.com</a>	01/09/2010	No	No	No
Daikin America Inc. Gary Stanitis, <a href="mailto:gstanitis@daikin-america.com">gstanitis@daikin-america.com</a>	01/09/2010	No	No	No
Dow Chemical Co. Lisa Schroeter, <a href="mailto:LMSchroeter@dow.com">LMSchroeter@dow.com</a> Max Turnipseed, <a href="mailto:mctint@att.net">mctint@att.net</a>	01/09/2010	No	No	No
Dupont Brian Curtis, <a href="mailto:Brian.Curtis@usa.dupont.com">Brian.Curtis@usa.dupont.com</a>	01/09/2010	No	No	No
Evonik Industries AG Russell Mait, <a href="mailto:russell.mait@evonik.com">russell.mait@evonik.com</a>	01/09/2010	No	No	No
Fanwood Chemical Inc. Jim DeLisi, <a href="mailto:JdeLisi@fanwoodchemical.com">JdeLisi@fanwoodchemical.com</a>	01/09/2010	No	No	No
GFS Chemicals John Long, <a href="mailto:JohnL@gfschemicals.com">JohnL@gfschemicals.com</a>	01/09/2010	No	No	No
LANXESS Corporation Jamie Schaeffer, <a href="mailto:jamie.schaeffer@lanxess.com">jamie.schaeffer@lanxess.com</a>	01/09/2010	No	No	No
Monsanto Company Michael Parrish, <a href="mailto:Michael.Parrish@monsanto.com">Michael.Parrish@monsanto.com</a>	01/09/2010	No	No	No
Solutia Inc. Bob Hurley, <a href="mailto:Rhurley@TheAccordGroup.com">Rhurley@TheAccordGroup.com</a> Kassie Wooton, <a href="mailto:KDWoot@solutia.com">KDWoot@solutia.com</a>	01/09/2010	No	No	No

**Technical comments:<sup>4</sup>**

The Commission staff suggests that the article description given on page 1 of this report be used in the proposed new heading in order to provide a better chemical name and the correct HTS classification.

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<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.

111TH CONGRESS  
1ST SESSION

# S. 2136

To suspend temporarily the duty on HPHP.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. ALEXANDER (for himself and Mr. CORKER) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on HPHP.

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. HPHP.**

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	Hydroxypivalyl hydroxypivalate (CAS No. 1115–20–4) (provided in sub- heading 2918.19.90) .....	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

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- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of enactment of this Act.

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