

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress ¹**

[Date approved: March 10, 2008]²

Bill No. and sponsor: H.R. 4260 (Mr. Richard H. Baker of Louisiana).

Proponent name,³ location: Albemarle Corp., Richmond, VA.

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)):

Cobalt carbonate, anhydrous (CAS No. 513-79-1), or cobalt carbonate monohydrate (CAS No. 7542-09-8) (provided for in subheading 2836.99.10).

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:

Cobalt carbonate is produced from cobalt via acid oxidation and precipitation with sodium carbonate. It is used as an ingredient in the production of catalysts designed to remove sulfur from petroleum fuels (diesel and gasoline). Cobalt carbonate is also used in the biosynthesis of vitamin B12 by microorganisms and is therefore used as a micronutrient in animal feeds. Cobalt carbonate is also used as an intermediate in the production of cobalt oxide used in NiMH batteries. The subject product is imported from Finland, China, and the United Kingdom.

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://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent identified three additional beneficiaries of this bill. USITC staff sent inquiries to the named beneficiaries and received responses from two. Two submitted a written representation that they would benefit from this bill.

Estimated effect on customs revenue:

HTS subheading: 2836.99.10					
	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	\$13,805,000	\$11,560,000	\$10,495,000	\$10,892,000	\$11,320,000
Customs revenue loss	\$579,810	\$485,520	\$440,790	\$457,464	\$475,440

Source of estimated dutiable import data: Industry estimates, U.S. Government statistics, and Commission estimates.

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)		
Albemarle Corp. (Proponent) Barbara Little, 202-223-1848	1/17/2008	No	No	No
Criterion Catalysts/Shell Oil Co. Mike Bowes, 281-874-2407	1/29/2008	No	No	No
Haldor Topsoe Inc. Linda Rogers, 281-228-5245	1/25/2008	No	Yes	No
Shepherd Chemical Co. Rachel Ekeroth, 513-458-6824	1/18/2008	Yes	Yes	Yes
W.R. Grace Christine Stokrp, 410-531-4000	1/28/2008	No	Yes	No

Technical comments:⁴

The staff suggests that the article description given on page 1 of this report be used in lieu of the article description in the bill, in order to provide the proper chemical names and correct CAS numbers.

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
1ST SESSION

H. R. 4260

To suspend temporarily the duty on Cobalt Carbonate (CoCO₃).

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2007

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

A BILL

To suspend temporarily the duty on Cobalt Carbonate (CoCO₃).

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. COBALT CARBONATE (CoCO₃).**

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	Cobalt carbonate (CAS No. 533-79-1 or 7542-09-8) (provided for in subheading 2836.99.10)	Free	No change	No change	On or before 12/31/2011	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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