

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: March 10, 2008]²

Bill No. and sponsor: H.R. 4259 (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)):

Nickel carbonate, anhydrous (CAS No. 3333-67-3), or nickel carbonate, hydroxide complex (CAS No. 12244-51-8) (provided for in subheading 2836.99.50).

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:

Nickel carbonate is produced from nickel metal or nickel metal intermediates. It is used as an ingredient in the production of catalysts designed to remove polluting agents like nitrogen from petro fuels (diesel and gasoline) and petroleum intermediates. Nickel carbonate is also used in the production of colored glass, nickel pigments, and as a neutralizing compound in nickel electroplating solutions. The subject product is imported from Finland, the Philippines, China, and France.

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: 2836.99.50					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty (AVE)	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$2,700,004	\$2,888,995	\$3,091,226	\$3,307,619	\$3,539,152
Customs revenue loss	\$99,900	\$106,893	\$114,375	\$122,382	\$130,949

Source of estimated dutiable import data: Industry 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. Charles Corddry, 713-241-1150	1/29/2008	No	No	No
Haldor Topsoe Inc. Linda Rogers, 281-228-5245	1/25/2008	No	Yes	No
Norilsk Nickel Greg Foltz, 412-722-1120	1/17/2008	No	No	No
Shepherd Chemical Co. Rachel Ekeroth, 513-458-6824	1/18/2008	Yes	Yes	Yes
W.R. Grace William Corcoran, 410-531-4203	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 more properly identify the chemical products and associated 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. 4259

To suspend temporarily the duty on Nickel Carbonate (NiCO₃).

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 Nickel Carbonate (NiCO₃).

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. NICKEL CARBONATE (NiCO₃).**

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	Nickel carbonate (CAS No. 3333-67-3 or 12244-51-8) (provided for in subheading 2836.99.50)	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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