

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: May 23, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4812 (Mr. Kenny Hulshof of Missouri).

**Proponent name,<sup>3</sup> location:** BASF Corporation, Florham Park, NJ.

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

**Nature of bill:** Extension of temporary duty reduction through December 31, 2012.

**Retroactive effect:** None.

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

Diethyl ketone (CAS No. 96-22-0) (provided for in subheading 2914.19.00).

**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:**

Diethyl ketone is a synthetic organic chemical that is used in the production of an herbicide and vitamin E. It is also used as a general purpose solvent. BASF imports the product from 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 identified three additional beneficiaries of this bill. USITC staff sent inquiries to the named beneficiaries and received responses from two. Two submitted written representations that they would benefit from this bill.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2914.19.00</b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	4.0%	4.0%	4.0%	4.0%	4.0%
Estimated value <i>dutiable</i> imports	\$25,000,000	\$25,000,000	\$25,000,000	\$25,000,000	\$25,000,000
Customs revenue loss 1/ 2/	\$0	\$675,000	\$675,000	\$675,000	\$675,000

1/ There is an existing duty reduction under HTS heading 9902.25.67 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009.

2/ The estimated customs revenue loss is based on a temporary reduction of the general rate of duty from 4.0 percent ad valorem to 1.3 percent ad valorem, a reduction of 2.7 percentage points.

Source of estimated dutiable import data: U.S. industry 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?
BASF Corporation (Proponent) Gregory Thies, Fax: 202-558-5101 Ronald Eva, 919-547-2112	3/6/2008 3/13/2008 3/17/2008 3/20/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	3/13/2008	No	No	No
Austin Chemical Joe Chivini, 847-520-9600	3/25/2008 4/1/2008	No	No	No
Bayer CropScience Will Hensley, Fax: 202-737-8909 Jean Reimers, Fax: 202-737-8909	3/13/2008	No	No	No
Chemtura Matt Mattingley, Fax: 202-463-8498	3/13/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	3/13/2008	No	No	No
Dow AgroSciences Lisa Schroeter, Fax: 202-429-3467 Max Turnipseed, Fax: 225-383-0590	3/13/2008	No	No	No
Dupont Helen McMahon, Fax: 302-355-2994	3/13/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	3/13/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	3/13/2008	No	No	No
Gowan Company George Rolofson, Fax: 336-854-2772 Cindy Baker, Fax: 928-373-1822	3/13/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	3/13/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	3/13/2008	No	No	No
RZB Finance Hermine Kirolos, 212-845-4114	3/25/2008 4/1/2008	No	No	No
Special Materials Co. Paul Schaldonat, 866-355-2345, x-12	3/25/2008 4/1/2008 4/3/2008	No	No	No
Syngenta Crop Protection, Inc. Mike Blythe, Fax: 336-632-6084 Angus Kelly, Fax: 336-632-6084	3/13/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	3/13/2008	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.

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 4812

To extend the temporary suspension of duty on 3-Pentanone.

---

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2007

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

---

## A BILL

To extend the temporary suspension of duty on 3-Pentanone.

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. 3-PENTANONE.**

4       (a) IN GENERAL.—Heading 9902.25.67 of the Har-  
5       monized Tariff Schedule of the United States is amended  
6       by striking “12/31/2009” and inserting “12/31/2012”.

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