

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: September 9, 2008]²

Bill No. and sponsor: H.R. 5049 (Mr. Scott Garrett of New Jersey).

Proponent name,³ location: Lonza Inc., Allendale, NJ.

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)):

2-Methyl-5-ethylpyridine (CAS No. 104-90-5) (provided for in subheading 2933.39.20).

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:

The subject product is an organic chemical that is used in agrochemical applications, nutritional products (Vitamin A), and pharmaceuticals (Etoricoxib). The product is imported from China and Switzerland.

Estimated effect on customs revenue:

HTS subheading: <u>2933.39.20</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	5.8%	5.8%	5.8%	5.8%	5.8%
Estimated value <i>dutiable</i> imports	\$1,250,000	\$1,250,000	\$1,250,000	\$1,250,000	\$1,250,000
Customs revenue loss	\$72,500	\$72,500	\$72,500	\$72,500	\$72,500

Source of estimated dutiable import data: U.S. industry estimates.

¹ Industry analyst preparing report: Larry Johnson (202-205-3351); Tariff Affairs contact: Dave 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 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)	
Lonza Inc. (Proponent) Greg McCue, 202-429-6421	06/19/2008	No	No	No
Abbott Laboratories Elaine Leavenworth, Fax: 202-783-6631	06/19/2008	No	No	No
American Chemistry Council Marty Durbin, Fax: 703-741-6097	06/19/2008	No	No	No
Apollo Color, Inc. Dave Klebine, Fax: 815-741-2599	06/19/2008	No	No	No
BASF David Bushnell, Fax: 301-654-8336 Greg Thies, Fax: 202-558-5101	06/19/2008	No	No	No
Bayer Corp. Karen Niedermeyer, Fax: 412-777-4740	06/19/2008	No	No	No
Biddle Sawyer Corp. William Thonack, Fax: 212-239-1089	06/19/2008	No	No	No
Chemtura Corporation Lloyd Moon, Fax: 203-573-2686	06/19/2008	No	No	No
Ciba Specialty Chemicals Robert Hurley, Fax: 202-289-3588	06/19/2008	No	No	No
Clariant Corp. Andy Zamoyski, Fax: 202-248-9043	06/19/2008	No	No	No
Dow Lisa Schroeter, Fax: 202-429-3467	06/19/2008	No	No	No
Dupont Helen McMahon, Fax: 302-355-2994	06/19/2008	No	No	No
Eastman Chemical Greg Riddle, Fax: 212-835-1621	06/19/2008	No	No	No
Emerald Performance Materials Tom Dirmyer, Fax: 330-315-6480	06/19/2008	No	No	No
Galaxie Chemical Corp. Michael Santoro, Jr., Fax: 973-790-7104	06/19/2008	No	No	No
Honeywell Art Simonetti, Fax: 202-662-2675	06/19/2008	No	No	No
Huntsman Corp. John Deming, Fax: 302-479-5499	06/19/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	06/19/2008	No	No	No
PMC Inc. Gordon McCollough, Fax: 513-482-7884	06/19/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Rhodia Dominick Cangiano, Fax: 609-860-2256	06/19/2008	No	No	No
Solutia, Inc. Kassie D. Wooten, Fax: 314-674-1585	06/19/2008	No	No	No
Sun Chemical Corp. Steve Schmidt, Fax: 513-681-4960	06/19/2008	No	No	No

Technical comments:⁴

The Commission staff recommends that the article description on page 1 of this report be used in the proposed new heading in order to use the chemical name that is used in the article description in HTS subheading 2933.39.20.

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
2D SESSION

H. R. 5049

To suspend temporarily the duty on 5-Ethyl-2-methylpyridine.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2008

Mr. GARRETT of New Jersey introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on 5-Ethyl-2-methylpyridine.

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. 5-ETHYL-2-METHYLPYRIDINE.**

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	5-Ethyl-2-methylpyridine (CAS No. 104-90-5) (pro- vided for in subheading 2933.39.20)	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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