

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: September 20, 2005]²

Bill No. and sponsor: H.R. 1786 (Mr. William L. Jenkins of Tennessee)

Proponent name, location: Eastman Chemical Corp.
Kingsport, TN

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2008.

Retroactive effect: None.

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

Crotonaldehyde (CAS No. 4170-30-3) (provided for in subheading 2912.19.50).

Check one: Same as that in bill as introduced
 Different from that in bill as introduced (explain differences in Technical
 comments section)

Product information, including uses/applications and source(s) of imports:

Crotonaldehyde is a synthetic organic chemical used by Eastman Chemical Co. to manufacture a herbicide in its plant located in Batesville, Arkansas. This water-white liquid has a suffocating odor and is considered toxic. It is also used as one of the primary precursors in the production of sorbic acid. Eastman imports this product from producers located in Germany and Japan.

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at www.usitc.gov/tata/hts/other/rel_doc/bill_reports/109c.htm.

Estimated effect on customs revenue:

| HTS subheading: 2912.19.50 | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|
| | 2005 | 2006 | 2007 | 2008 | 2009 |
| Col. 1-General rate of duty (AVE) <u>1/</u> | 5.5% | 5.5% | 5.5% | 5.5% | 5.5% |
| Estimated value <i>dutiable</i> imports | \$669,000 | \$669,000 | \$669,000 | \$669,000 | \$669,000 |
| Customs revenue loss | \$36,795 | \$36,795 | \$36,795 | \$36,795 | \$36,795 |

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

| Name of firm/organization | Date contacted | US production of same or competitive product claimed? | Submission attached? | Opposition noted? |
|---|----------------|---|----------------------|-------------------|
| | | | | |
| Eastman Chemical Co. (Proponent) Jorge San Pedro (703)524-7653 | 6/22/2005 | No | No | No |
| Allegheny Color Corp. Marv Gallisdorfer (814)772-1559 | 6/8/2005 | No | No | No |
| Apollo Color, Inc. Patty Hines (815)741-2599 | 6/8/2005 | No | No | No |
| AtoFina Cerexagri Charles Kitchin (703)527-2092 | 6/8/2005 | No | No | No |
| Aventis Jean Reimers (202)628-6622 | 6/8/2005 | No | No | No |
| BASF Corp. Phil Webb (704)398-4399 | 6/28/2005 | No | No | No |
| BASF Corp. Greg Theis (202)682-9459 | 6/28/2005 | No | No | No |

| | | | | |
|--|-----------|----|----|----|
| BASF, Funct. Polymers Bus. Group Joseph C. Breunig (704)587-7903 | 6/28/2005 | No | No | No |
| Bayer Corporation William Hensley (202)628-6622 | 6/28/2005 | No | No | No |
| Bayer Corporation Karen Neidermeyer (412)777-7743 | 6/28/2005 | No | No | No |
| BF Goodrich Paul J. Schmidt (513)841-4841 | 6/28/2005 | No | No | No |
| Blackman Uhler Peter Starnes (864)596-1501 | 6/28/2005 | No | No | No |
| Carey Industries, Inc. Raymond J. Carey (203)791-2762 | 6/28/2005 | No | No | No |
| Ciba Specialty Chemicals Corp. John Deming (410)715-4552 | 6/28/2005 | No | No | No |
| Ciba Specialty Chemicals Corp. Michelle Forte (914)785-4831 | 6/28/2005 | No | No | No |
| Clariant Corp. Andrew Zamoyski (401)823-2575 | 6/28/2005 | No | No | No |
| Clariant Corp. Ken Golder (704)377-1063 | 6/28/2005 | No | No | No |
| CPMA Larry Robinson (703)684-1795 | 6/28/2005 | No | No | No |
| Color Resources Int'l. Inc. Wayne Jones (864)862-6824 | 6/28/2005 | No | No | No |
| Colorants & Textile Leather Chemicals Michael Strumpp (973)426-3542 | 6/28/2005 | No | No | No |
| ColorChem Steve Printz (770)993-4780 | 6/28/2005 | No | No | No |
| Crop Life America Lawrence Norton (202)463-0474 | 6/28/2005 | No | No | No |
| Daicolor-Pope, Inc. Norman Russo (973)279-1256 | 6/28/2005 | No | No | No |
| Day-Glo Richard Thornton (216)391-1408 | 6/28/2005 | No | No | No |

| | | | | |
|--|-----------|----|----|----|
| Dow Agro Science Margaret Rogers (202)429-3467 | 6/28/2005 | No | No | No |
| DyStar L.P. Van Hawkins (704)561-3005 | 6/28/2005 | No | No | No |
| E.I. duPont Elaine Olson (302)992-2263 | 6/28/2005 | No | No | No |
| E.I. DuPont Nancy Johnson (202)728-3649 | 6/28/2005 | No | No | No |
| Engelhard Corp. Rolan Valin (732)321-0250 | 6/28/2005 | No | No | No |
| ETAD Tucker Helms (202)296-8120 | 6/28/2005 | No | No | No |
| Everlight USA, Inc. Scott Chen (704)588-0051 | 6/28/2005 | No | No | No |
| Fabricolor Manuf. Corp. James A. Silver (973)742-0311 | 6/28/2005 | No | No | No |
| Fanwood Chemical, Inc. Jim DeLisi (908)322-8494 | 6/28/2005 | No | No | No |
| FMC Corp. Jerry Prout (202)956-5235 | 6/28/2005 | No | No | No |
| Galaxie Chemical Corp. Michael Santoro, Jr. (973)790-7104 | 6/28/2005 | No | No | No |
| Griffin Corp. James Whatley (800)248-5154 | 6/28/2005 | No | No | No |
| Magruder Color Co., Inc. Joel Weissglass (973)642-3532 | 6/28/2005 | No | No | No |
| Mason Color Works, Inc. Carol Mason Cronin (330)385-4488 | 6/28/2005 | No | No | No |
| Max Marx Color Corp. Tom Doty (973)373-9301 | 6/28/2005 | No | No | No |
| Milliken Ray Sanders (864)503-1618 | 6/28/2005 | No | No | No |
| Monsanto Corp. Linda Strachan (202)783-2467 | 6/28/2005 | No | No | No |

| | | | | |
|--|-----------|----|----|----|
| Nat'l. Paint & Coatings Assn. Bob Branard (202)546-3959 | 6/28/2005 | No | No | No |
| NFC John Dickson (803)548-2683 | 6/28/2005 | No | No | No |
| Noviant Paul Schmidt (512)841-4841 | 6/28/2005 | No | No | No |
| Passaic Color John Wojciechowski (973)279-3175 | 6/28/2005 | No | No | No |
| PMC Inc. Gordon McCollough (513)482-7884 | 6/28/2005 | No | No | No |
| Rohm & Haas Steven Volger (215)592-2550 | 6/28/2005 | No | No | No |
| Roma Color, Inc. Andrew Blum (508)676-9011 | 6/28/2005 | No | No | No |
| Sensient Technical Colors Dan Victor (610)582-6663 | 6/28/2005 | No | No | No |
| Sun Chemical Ed Faulkner (513)632-1531 | 6/28/2005 | No | No | No |
| Syngenta Mike Blythe (336)632-6084 | 6/28/2005 | No | No | No |
| Uhlich Color Co. Abdul Saleh (520)577-0038 | 6/28/2005 | No | No | No |
| Uhlich Color Co. Tom Nowakowski (215)860-8560 | 6/28/2005 | No | No | No |
| Valent USA Robin Demouth (925)256-2776 | 6/28/2005 | No | No | No |
| Yorkshire Americas, Inc. Allen Hughes (704)376-3091 | 6/28/2005 | No | No | No |

Technical comments:³ None.

³ 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.

109TH CONGRESS
1ST SESSION

H. R. 1786

To suspend temporarily the duty on Crotonaldehyde.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2005

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

A BILL

To suspend temporarily the duty on Crotonaldehyde.

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. CROTONALDEHYDE.**

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:

| | | | | | | | |
|---|------------|--|------|-----------|-----------|----------------------------|----|
| “ | 9902.04.57 | Crotonaldehyde (2- butenaldehyde) (CAS No. 4170-30-3) (provided for in subheading 2912.19.50) | Free | No change | No change | On or before 12/31/2008 | ”. |
|---|------------|--|------|-----------|-----------|----------------------------|----|

8 (b) EFFECTIVE DATE.—The amendments made by
9 subsection (a) apply to articles entered, or withdrawn from

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

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