

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: September 20, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 1788 (Mr. William L. Jenkins of Tennessee)

**Proponent name, location:** Eastman Chemical Company  
Kingsport, TN

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary suspension of duty until 12/31/2008.

**Retroactive effect:** None.

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

Benzoic acid 3,4,5-trihydroxy-, propyl ester (CAS No. 121-79-9) (provided for in subheading 2918.29.75)

**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:**


The subject chemical, more commonly known as propyl gallate, is used as an antioxidant in food products.

This chemical is imported from China, among other sources.

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: 2918.29.75</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty (AVE) <u>1/</u>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$800,000	\$800,000	\$800,000	\$800,000	\$800,000
Customs revenue loss	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000

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?
		(Yes/No)		
Eastman Chemical Company (proponent) J.P. San Pedro Tel: (703) 524-7653	6/22/2005	No	No	No
Aceto Corporation Marketing Mgr., FAX: (516) 627-6093	6/23/2005	No	No	No
Amerol Corp. Marketing Mgr., FAX: (631) 694-9177	6/23/2005	No	No	No
ATZ Chemical Inc. Marketing Mgr., FAX: (201) 869-5655	6/23/2005	No	No	No
Esprix Technologies Marketing Mgr., FAX: (941) 358-1339	6/23/2005	No	No	No
Fabrichem, Inc. Marketing Mgr., FAX: (203) 366-1850	6/23/2005	No	No	No
R.W. Greef Marketing Mgr., FAX: (203) 323-0475	6/23/2005	No	No	No
Penta Manufacturing Co. Marketing Mgr., FAX: (973) 740-1839	6/23/2005	No	No	No

Richman Chemical Inc. Marketing Mgr., FAX: (215) 628-4262	6/23/2005	No	No	No
Ruger Chemical Co., Inc. Marketing Mgr., FAX: (973) 926-4921	6/23/2005	No	No	No
Total Specialty Chemicals, Inc. Marketing Mgr., FAX: (203) 966-1505	6/23/2005	No	No	No

**Technical comments:**<sup>3</sup> None.

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<sup>3</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.

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

# H. R. 1788

To suspend temporarily the duty on propyl gallate.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2005

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

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## A BILL

To suspend temporarily the duty on propyl gallate.

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. PROPYL GALLATE.**

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:

“	9902.04.52	Benzoic acid 3,4,5- trihydroxy-, propyl ester (CAS No. 121-79-9) (pro- vided for in subheading 2918.29.75) .....	Free	No change	No change	On or before 12/31/2008	”.
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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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