

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: June 9, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 1673 (Mr. Rick Santorum of Pennsylvania).

**Proponent name, location:** LANXESS Corporation, Pittsburgh, PA.

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

**Nature of bill:** Temporary duty suspensions through December 31, 2009.

**Retroactive effect:** None.

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

2-Chlorotoluene (CAS No. 95-49-8) (provided for in subheading 2903.69.80) and  
Chloromethylbenzene mixed isomers (CAS No. 25168-05-2) (provided for in subheading 2903.69.80).

**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:**

Pure 2-chlorotoluene, a synthetic organic chemical, is used to produce the pharmaceutical Orphenadrine, which is used to relieve pain and discomfort caused by strains, sprains, and other muscle injuries. The technical grade, which contains other isomers of chlorotoluene as processing impurities, is used to manufacture agricultural chemicals and plastics. The subject products are imported from Germany.

**Estimated effect on customs revenue:**

HTS subheading: <b>2903.69.80</b>					
	2006	2007	2008	2009	2010
<del>Col. 1-General rate of duty</del>	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$500,000	\$1,440,000	\$1,700,000	\$1,700,000	\$1,700,000
Customs revenue loss	\$27,500	\$79,200	\$93,500	\$93,500	\$93,500

Source of estimated dutiable import data: Industry estimates.

<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 [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**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)		
LANXESS Corporation (Proponent) Jamie Schaeffer, 412-809-3666	04/13/2006	No	No	No
Abbott Laboratories Elaine Leavenworth, Fax: 202-783-6631	04/14/2006	No	No	No
American Chemistry Council Jim O'Conner, Fax: 703-741-6922	04/14/2006	No	No	No
Ashland Chemical Mike Toohey, Fax: 202-293-2913	04/14/2006	No	No	No
BASF Greg Thies, Fax: 202-558-5101	04/14/2006	No	No	No
Bayer Corporate & Business Offices Karen Niedermeyer, Fax: 412-777-4740	04/14/2006	No	No	No
Biddle Sawyer William Thonack, Fax: 212-239-1089	04/14/2006	No	No	No
Ciba Specialty Chemicals John Deming, Fax: 302-479-5152	04/14/2006	No	No	No
Clariant Corp. Andrew Zamoyiski, Fax: 401-823-2700	04/14/2006	No	No	No
Eastman Chemical Co. Jorge San Pedro, Fax: 703-514-7707	04/14/2006	No	No	No
E.I. du Pont de Nemours & Co. Helen C. McMahon, Fax: 302-355-2994	04/14/2006	No	No	No
Great Lakes Chemical Robert Lee, Fax: 765-497-6040	04/14/2006	No	No	No
Honeywell International Art Simonetti, Fax: 202-662-2675	04/14/2006	No	No	No
Lonza Inc. Ray Esposito, Fax: 201-696-3487	04/14/2006	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	04/14/2006	No	No	No
Noveon Tom Dirmyer, Fax: 216-447-5720	04/14/2006	No	No	No
Perstorp Polyols Jeff Jones, Fax: 419-729-3291	04/14/2006	No	No	No

Rhodia Dominick Cangiana, Fax: 609-860-1841	04/14/2006	No	No	No
Solutia Dan Jenkins, Fax: 314-674-1585	04/14/2006	No	No	No
Tennant Co. Mary Heie, Fax: 763-513-1808	04/14/2006	No	No	No
Total Specialty Chemicals, Inc. Tad Acker, Fax: 203-966-1505	04/14/2006	No	No	No
Union Carbide Jim Murray, Fax: 202-347-1684	04/14/2006	No	No	No
Uniroyal Chemical Co. Lloyd Moon, Fax: 203-573-4430	04/14/2006	No	No	No

**Technical comments:**<sup>3</sup>

The Commission suggests that the article description on page 1 of this report be used because it contains the correct chemical name.

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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

# S. 1673

To suspend temporarily the duty on O-Chlorotoluene.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2005

Mr. SANTORUM introduced the following bill; which was read twice and referred to the Committee on Finance

## A BILL

To suspend temporarily the duty on O-Chlorotoluene.

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. SUSPENSION OF DUTY OF O-CHLOROTOLUENE.**

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 headings:

“	9902.39.16	2-Chlorotoluene (CAS No. 95-49-8) (provided for in subheading 2903.69.80) .....	Free	No change	No change	On or before 12/31/2009	
	9902.39.17	Chloromethylbenzene (CAS No. 25168-05-2) (provided for in subheading 2903.69.80) .....	Free	No change	No change	On or before 12/31/2009	”.

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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