

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 108<sup>th</sup> Congress <sup>1</sup>**

[Date approved: August 6, 2004]<sup>2</sup>

**Bill No. and sponsor:** S. 2247 (Mr. Lautenberg)

**Proponent name, location:** Nutrinova, Somerset, NJ  
Robert R. Carpenter (202) 443-8685

**Other bills on product (108<sup>th</sup> Congress only):** H.R. 4266 (Mr. Holt)

**Nature of bill:** Temporary reduction in duty to 1.0% until 12/31/2006.

**Retroactive effect:** None.

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

Potassium sorbate (CAS No. 24634-61-5) (provided for in subheading 2916.19.10)

**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:**

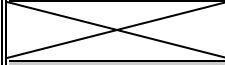
The subject chemical is used mainly as a preservative in food and beverage products. It is imported from China, Germany, Japan and Denmark.

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<sup>1</sup> Industry analyst preparing report: Rob Randall (202-205-3366); Tariff Affairs contact: Dave Beck (202-205-2603).

<sup>2</sup> Access to an electronic copy of this memorandum is available at <http://www.usitc.gov/billrpts.htm> Access to a paper copy is available at the Commission's Law Library (202-205-3287) or at the Commission's Main Library (202-205-2630).

**Estimated effect on customs revenue:**

<b>HTS subheading: <u>2916.19.10</u></b>					
	2004	2005	2006	2007	2008
Col. 1-General rate of duty (AVE) <u>1/</u>	3.1%	3.1%	3.1%	3.1%	3.1%
Estimated value <i>dutiable</i> imports	\$30,000,000	\$30,000,000	\$30,000,000	\$30,000,000	\$30,000,000
Customs revenue loss <u>2/</u>	\$630,000	\$630,000	\$630,000	\$ 0	\$ 0

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.

2/ Customs revenue loss based on proposed duty reduction to 1.0% through 2006.

Source of estimated dutiable import data: "Commission 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)		
Nutrinova Nutrition Specialties & Food Ingredients (Proponent) Robert R. Carpenter (202) 443-8685	May 19, 2004	No	No	No
Aceto Corporation Marketing Mgr., FAX (516) 627-6093	June 1, 2004	No	No	No
Alfa Aesar Marketing Mgr. FAX (978) 521-6366	June 1, 2004	No	No	No
American International Chemical, Inc. Marketing Mgr., FAX (508) 655-0927	June 1, 2004	No	No	No
American Tartaric Products, Inc. Marketing Mgr., FAX (914) 834-4611	June 1, 2004	No	No	No
Ashland Distributing Company Fine Ingredients Division Marketing Mgr., FAX (614) 790-4427	June 1, 2004	No	No	No

Charkit Chemical Corp. Marketing Mgr., FAX (203) 655-8643	June 1, 2004	No	No	No
Eastman Chemical Co. Marketing Mgr., FAX (423) 229-1673	June 10, 2004	No	No	No
F B C Industries, Inc. Bob Bloom, (847) 839-0880	June 14, 2004	No	No	No
Hawkins, Inc. Marketing Mgr., FAX (612) 331-5304	June 1, 2004	No	No	No
International Sourcing Inc. Marketing Mgr., FAX (201) 560-1156	June 1, 2004	No	No	No
JLM Marketing, Inc. Marketing Mgr., FAX (813) 632-3301	June 1, 2004	No	No	No
Jodawnco Inc. Marketing Mgr., FAX (760) 741-7491	June 1, 2004	No	No	No
Jungbunzlauer Inc. Marketing Mgr., FAX (617) 964-2921	June 1, 2004	No	No	No
Los Angeles Chemical Co. Marketing Mgr., FAX (323) 773-0909	June 1, 2004	No	No	No
Mays Chemical Company Marketing Mgr., FAX (317) 558-2069	June 1, 2004	No	No	No
Parchem Trading Ltd. Marketing Mgr., FAX (914) 997-1025	June 1, 2004	No	No	No
Penta Manufacturing Co. Marketing Mgr., FAX (973) 740-1839	June 1, 2004	No	No	No
Rit-Chem Co. Inc. Marketing Mgr., FAX (914) 769-1408	June 1, 2004	No	No	No
Ruger Chemical Co. Inc. Marketing Mgr., FAX (814) 238-1567	June 1, 2004	No	No	No
Spectrum Chemical Mfg. Corp. Marketing Mgr., FAX (877) 901-4582	June 1, 2004	No	No	No
V.L. Clark Chemical Co. Marketing Mgr., FAX (636) 583-5218	June 1, 2004	No	No	No
Vopak USA Inc. Marketing Mgr., FAX (425) 889-4100	June 1, 2004	No	No	No

Wego Chemical & Mineral Corp. Bert Eshaghpour (516) 487-3510	June 1, 2004	No	No	No
Westco Chemicals Inc. Marketing Mgr., FAX (818) 255-3650	June 1, 2004	No	No	No

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

The Commission recommends that the word “Sorbate” in the proposed article description be amended to read “sorbate”.

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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.

108TH CONGRESS  
2D SESSION

# S. 2247

To reduce temporarily the duty on potassium sorbate.

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IN THE SENATE OF THE UNITED STATES

MARCH 29, 2004

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

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## A BILL

To reduce temporarily the duty on potassium sorbate.

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. POTASSIUM SORBATE.**

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:

“	9902.28.12	Potassium Sorbate (Cas No. 24634-61-5) (provided for in subheading 2916.19.10) .....	1.0%	No change	No change	On or before 12/31/2006	”.
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8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies with respect to goods entered, or

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

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