

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: September 12, 2005]²

Bill No. and sponsor: H.R. 2078 (Mr. Kevin Brady of Texas)

Proponent name, location: Chevron Phillips Chemical Company LP
The Woodlands, TX 77380

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)):

2,6-Di-*tert*-butyl-4-ethylphenol (CAS No. 4130-42-1) (provided for in subheading 2907.19.80)

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:

2,6-Di-*tert*-butyl-4-ethylphenol is a synthetic organic chemical used as an oxidation inhibitor in the production of certain types of polyethylene. In addition, the proponent also serves as a domestic distributor of this product for a Chinese manufacturer. There is no known domestic production of this chemical, which is imported from China and Germany.

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Michels (202-205-3352).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Estimated effect on customs revenue:

HTS subheading: 2907.19.80					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$10,000,000	\$12,000,000	\$14,000,000	\$16,000,000	\$18,000,000
Customs revenue loss	\$550,000	\$660,000	\$770,000	\$880,000	\$990,000

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)		
Chevron Phillips Chemical Company LP (proponent) Ken Inkrott e-mail:inkroke@cpchem.com	7/28/2005	No	No	No
Abbott Laboratories Elaine Leavenworth fax: 202-783-6631	8/3/2005	No	No	No
BASF Corp. Susan Greenbaum fax: 804-968-6498	8/3/2005	No	No	No
BASF Corp. Don Hysell fax: 202-662-2675	8/3/2005	No	No	No
Bayer Corp. Julie Van Egmund fax: 202-737-8909	8/3/2005	No	No	No
Bayer Corp. Karen Niedermayer fax: 412-777-4740	8/3/2005	No	No	No
Biddle Sawyer Corporation William Thonack fax: 212-239-1089	8/3/2005	No	No	No
Chemical Manufacturers Assoc'n Jim O'Connor fax: 703-741-6922	8/3/2005	No	No	No

Ciba Specialty Chemicals Corp. Michelle Forte fax: 914-785-4831	8/3/2005	No	No	No
Clariant Corp. Andrew Zamoyski fax: 401-823-2575	8/3/2005	No	No	No
E.I. DuPont Nancy Johnson fax: 202-728-3649	8/3/2005	No	No	No
E.I. DuPont Elaine Olson fax: 302-892-7343	8/3/2005	No	No	No
Eastman Chemical Co.. Greg Riddle fax: 703-524-7707	8/3/2005	No	No	No
Honeywell International Art Simonett fax: 202-662-2675	8/3/2005	No	No	No
Monsanto Corporation Linda Strachan fax: 202-789-1867	8/3/2005	No	No	No
Monsanto Corporation Michael Parrish fax: 202-789-1867	8/3/2005	No	No	No
Noveon Tom Dirmyer fax: 214-415-6001	8/3/2005	No	No	No
Solutia Inc. Dan Jenkins fax: 314-674-1585	8/3/2005	No	No	No
Solutia Inc. Sue Cannon fax: 314-674-1585	8/3/2005	No	No	No
Uniroyal Chemical Co. Lloyd Moon fax: 203-573-4430	8/3/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in order to provide italicization in the chemical name.

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. 2078

To suspend temporarily the duty on butylated hydroxyethylbenzene.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2005

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

A BILL

To suspend temporarily the duty on butylated
hydroxyethylbenzene.

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. BUTYLATED HYDROXYETHYLBENZENE.**

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:

“	9902.04.40	2,6-Di- <i>tert</i> -butyl-4-ethylphenol (CAS No. 4130-42-1) (provided for in sub-heading 2907.19.80)	Free	No change	No change	On or before 12/31/2008	”.
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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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