

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress**¹

[Date approved: May 8, 2008]²

Bill No. and sponsor: H.R. 4537 (Mr. Jo Bonner of Alabama).

Proponent name,³ location: American Vanguard Corp., Newport Beach, CA.

Other bills on product (110th Congress only): None.

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

Retroactive effect: None.

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

Dimethyl 2,3,5,6-tetrachloro-1,4-benzenedicarboxylate (CAS No. 1861-32-1) (provided for in subheading 2917.39.70).

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:

The subject product is an herbicide that is used by the proponent to make a liquid-application formulation and a powdered formulation. The formulations are used on a variety of fruit and vegetable crops to provide pre-emergent protection against broad-leaved weeds and annual grasses. The product is imported from Japan.

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

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

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

Estimated effect on customs revenue:

HTS subheading: 2917.39.70					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$5,500,000	\$5,600,000	\$5,700,000	\$5,800,000	\$5,900,000
Customs revenue loss	\$357,500	\$364,000	\$370,500	\$377,000	\$383,500

Source of estimated dutiable import data: U.S. industry estimates.

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)	
American Vanguard Corp. (Proponent) William Kuser williamk@amvac-chemical.com	3/14/2008	No	No	No
Arkema Charles A. Kitchen, Fax: 215-419-7075	3/21/2008	No	No	No
BASF Greg Thies, Fax: 202-558-5101	3/21/2008	No	No	No
Bayer CropScience William Hensley, Fax: 202-737-8909	3/21/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	3/21/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	3/21/2008	No	No	No
Dow Chemical/Dow AgroScience Lisa Schroeter, Fax: 202-429-3467 Max Turnipseed, Fax: 225-383-0590	3/21/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	3/21/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	3/21/2008	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	3/21/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Gowan Company Cindy Baker, Fax: 928-373-1822 George L. Rolofson, Fax: 336-854-2772	3/21/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	3/21/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	3/21/2008	No	No	No
Syngenta Crop Protection, Inc. Mike Blythe Angus Kelly, Fax: 336-632-6084	3/21/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	3/21/2008	No	No	No

Technical comments:⁴

The Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide the correct chemical name, the correct CAS number, and the correct HTS subheading reference.

⁴ 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.

110TH CONGRESS
1ST SESSION

H. R. 4537

To suspend temporarily the duty on dimethyl 2,3,4,6-tetrachloro-1,4-Benzenedicarboxylate.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

A BILL

To suspend temporarily the duty on dimethyl 2,3,4,6-tetrachloro-1,4-Benzenedicarboxylate.

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. DIMETHYL 2,3,4,6-TETRACHLORO-1,4-BENZENE-**
4 **DICARBOXYLATE.**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of
6 the Harmonized Tariff Schedule of the United States is
7 amended by inserting in numerical sequence the following
8 new heading:

“	9902.xx.xx	Dimethyl 2,3,4,6-tetrachloro-1,4-Benzenedicarboxylate (CAS No. 1861-31-1) (provided for in subheading 2917.39.7000)	Free	No change	No change	On or before 12/31/2009	”.
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1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of enactment of this Act.

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