MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 110th Congress ¹

[Date approved: May 14, 2008]²

Bill No. and sponsor: H.R. 4590 (Mr. Emanuel Cleaver of Missouri).

Proponent name,³ **location:** Bayer CropScience, Research Triangle Park, NC.

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

Nature of bill: Temporary duty suspension through December 31, 2011.

Retroactive effect: None.

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

2-Chloro-4-mesyl-3-[(2,2,2-trifluoroethoxy)methyl]benzoic acid (CAS No. 120100-77-8) (provided for in subheading 2930.90.29).

Check one:

Same as that in bill as introduced.

X 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 a raw material that is used to make a new systemic herbicide that is used for postemergence control of grass and broadleaf weeds in all corn, including weeds resistant to glyphosate and other chemical classes. The product is imported from Germany.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David G. Michels (202-205-3440).

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

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

Estimated effect on customs revenue:

| HTS subheading: <u>2930.90.29</u> | | | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|--|--|
| \searrow | 2009 | 2010 | 2011 | 2012 | 2013 | | |
| Col. 1-General rate of duty (AVE) | 6.5% | 6.5% | 6.5% | 6.5% | 6.5% | | |
| Estimated value <i>dutiable</i> imports | \$7,428,600 | \$7,428,600 | \$7,428,600 | \$7,428,600 | \$7,428,600 | | |
| Customs revenue loss | \$482,859 | \$482,859 | \$482,859 | \$482,859 | \$482,859 | | |

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) | | |
| Bayer CropScience (Proponent) William Hensley, 202-756-3781 Jean Reimers, 202-756-3779 | 02/18/2008 | No | No | No |
| Arkema Inc. (Atofina) Charles Kitchen, Fax: 216-419-7075 | 02/18/2008 | No | No | No |
| BASF Corp. Greg Thies, Fax: 703-255-7142 | 02/18/2008 | No | No | No |
| Chemtura Corporation Matt Mattingley, Fax: 202-463-8498 | 02/18/2008 | No | No | No |
| CropLife America Isi Siddiqui, Fax: 202-463-0474 | 02/18/2008 | No | No | No |
| Dow AgroSciences Max Turnipseed, Fax: 225-338-0310 Lisa Schroeter, Fax: 202-429-3467 | 02/18/2008 | No | No | No |
| DuPont Helen McMahon, Fax: 302-355-2994 Elaine Olsen, Fax: 302-774-1398 | 02/18/2008 | No | No | No |
| FMC Corp. Jerry Prout, Fax: 202-956-5235 Steve Ziehm, 202-872-8181 | 02/18/2008 | No | No | No |
| Monsanto Corp. Michael Parris, Fax: 202-789-1867 | 02/18/2008 | No | No | No |

| Name of firm/organization | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|--|-------------------|---|-------------------------|----------------------|
| | | | (Yes/No) | |
| Nufarm Limited Joel R. Junker, Fax: 206-621-8220 | 02/18/2008 | No | No | No |
| Syngenta Crop Protection, Inc. Angus Kelly, Fax: 336-632-6084 | 02/18/2008 | No | No | No |
| Valent USA Robin Demouth, Fax: 925-256-2776 | 02/18/2008 | 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 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. 4590

To suspend temporarily the duty on AE 0172747 Ether.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

A BILL

To suspend temporarily the duty on AE 0172747 Ether.

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. AE 0172747 ETHER.

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:

| " 9902.01.00 2-Chloro-4-mesyl-3-[(2,2,2- trifluoroethox- y)methyl]benzoic acid (CAS No. 120100-77-8) (provided for in subheading 2916.39.45) Free No change | No change | On or before 12/31/2011 | " |
|--|-----------|----------------------------|---|
|--|-----------|----------------------------|---|

(b) EFFECTIVE DATE.—The amendment made by
 subsection (a) applies to articles entered, or withdrawn
 from warehouse for consumption, on or after the 15th day
 after the date of the enactment of this Act.