

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: August 1, 2008]²

Bill No. and sponsor: H.R. 4803 (Mr. Howard Coble of North Carolina).

Proponent name,³ location: Syngenta Crop Protection, Inc., Greensboro, 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)):

2,4-Dichloro-3,5-dinitro trifluorotoluene (CAS No. 29091-09-6) (provided for in subheading 2904.90.47).

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 a synthetic organic chemical that is used as an intermediate to manufacture an herbicide that is used for pre-planting or pre-emergent application to control annual grasses and broad-leaved weeds in non-crop land, ornamentals, turf, conifer, and hardwood seedlings. The product is imported from Switzerland.

Estimated effect on customs revenue:

HTS subheading: <u>2904.90.47</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$314,738	\$302,148	\$293,755	\$272,773	\$272,773
Customs revenue loss	\$17,311	\$16,618	\$16,157	\$15,003	\$15,003

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

Contacts with domestic firms/organizations (including the proponent):

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.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Syngenta Crop Protection, Inc. (Proponent) Angus Kelly, 202-347-7772	4/20/2008	No	No	No
Arkema Inc. Charles Kitchen, Fax: 215-419-7075	4/25/2008	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142	4/25/2008	No	No	No
Bayer Corp. William Hensley, Fax: 202-737-8909	4/25/2008	No	No	No
Chemtura Corp. Matt Mattingley, Fax: 202-463-8498	4/25/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	4/25/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	4/25/2008	No	No	No
Emerald Performance Materials Tom Dirmyer, Fax: 330-315-6480	4/25/2008	No	No	No
FMC Corporation Jerry Prout, 202-956-5209	4/25/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	4/25/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	4/25/2008	No	No	No
Valent U.S.A. Corp. Robin Demouth, Fax: 925-256-2776	4/25/2008	No	No	No

Technical comments:⁴

The Commission staff recommends 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 and the correct CAS number.

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. 4803

To suspend temporarily the duty on DCDNBTF Benzene, 2,4-dichloro-1,3-dinitro-5-(trifluoroethyl)-.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2007

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

A BILL

To suspend temporarily the duty on DCDNBTF Benzene, 2,4-dichloro-1,3-dinitro-5-(trifluoroethyl)-.

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. DCDNBTF BENZENE, 2,4-DICHLORO-1,3-**
4 **DINITRO-5-(TRIFLUOROETHYL)-.**

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:

“	9902.01.00	DCDNBTF Benzene, 2,4-dichloro-1,3-dinitro-5-(trifluoroethyl)- (CAS No. 393-75-9) (provided for in subheading 2904.90.47)	Free	No change	No change	On or before 12/31/2011	”.
---	------------	--	------	-----------	-----------	-------------------------	----

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.

○