

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: August 26, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4844 (Mr. Thomas M. Reynolds of New York).

**Proponent name,<sup>3</sup> location:** Arch Chemicals, Inc., Norwalk, CT.

**Other bills on product (110<sup>th</sup> 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)):**

Mixtures containing n-butyl-1,2-benzisothiazolin-3-one (Butyl benzisothiazoline) (CAS No. 4299-07-4), 1-hydroxypyridine-2-thione, zinc salt (Zinc pyrithione) (CAS No. 13463-41-7) and application adjuvants (provided for in subheading 3808.99.08).

**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 effective against fungi and bacteria, and is used in the protection of plastic products that are made from polymers such as polyvinylchloride, polyurethanes, and other plastics. The product is imported from Great Britain.

**Estimated effect on customs revenue:**

<b>HTS subheading: 3808.99.08</b>					
<del> </del>	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	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Customs revenue loss	\$32,500	\$32,500	\$32,500	\$32,500	\$32,500

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

<sup>1</sup> Industry analyst preparing report: Larry Johnson (202-205-3351); Tariff Affairs contact: Dave Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

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

**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)	
Arch Chemicals, Inc. (Proponent) Chuck Barnett, 202-548-2302	5/15/2008	No	No	No
Arkema Inc. Charles A. Kitchen, Fax: 215-419-7075	5/15/2008	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	5/15/2008	No	No	No
Bayer Crop Science William Hensley, Fax: 202-737-8909	5/15/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	5/15/2008	No	No	No
Dow Chemical Co. Lisa Schroeter, Fax: 202-429-3467	5/15/2008	No	No	No
Dow AgroScience Max Turnipseed, Fax: 225-383-0590	5/15/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	5/15/2008	No	No	No
Emerald Performance Materials Tom Dirmyer, Fax: 330-315-6480	5/15/2008	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	5/15/2008	No	No	No
Gowan Company Cindy Baker, Fax: 928-373-1822 George L. Rolofson, Fax: 336-854-2772	5/15/2008	No	No	No
MG Group Matt Mattingley, Fax: 703-670-9313	5/15/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	5/15/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	5/15/2008	No	No	No
Syngenta Crop Protection, Inc. Angus Kelly, Fax: 336-632-6084	5/15/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	5/15/2008	No	No	No

**Technical comments:**<sup>4</sup>

The Commission staff suggests that the word “technical” be deleted after “Butyl benzisothiazoline”.

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<sup>4</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.

110TH CONGRESS  
1ST SESSION

# H. R. 4844

To suspend temporarily the duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one (Butyl benzisothiazoline technical), 1-hydroxypyridine-2-thione, zinc salt (Zinc pyrithione) and application adjuvants.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2007

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

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## A BILL

To suspend temporarily the duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one (Butyl benzisothiazoline technical), 1-hydroxypyridine-2-thione, zinc salt (Zinc pyrithione) and application adjuvants.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MIXTURES CONTAINING N-BUTYL-1,2-BENZISO-**  
 2 **THIAZOLIN-3-ONE (BUTYL BENZISOTHIAZO-**  
 3 **LINE TECHNICAL), 1-HYDROXYPYRIDINE-2-**  
 4 **THIONE, ZINC SALT (ZINC PYRITHIONE) AND**  
 5 **APPLICATION ADJUVANTS.**

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

“	9902.____	Mixtures containing n-butyl-1,2-benzisothiazolin-3-one (Butyl benzisothiazoline technical) (CAS No. 4299-07-4), 1-hydroxypyridine-2-thione, zinc salt (Zinc pyrithione) (CAS No. 13463-41-7) and application adjuvants (provided for in subheading 3808.99.08) ..	Free	No change	No change	On or before 12/31/2011	”.
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10 (b) EFFECTIVE DATE.—The amendment made by  
 11 subsection (a) applies to articles entered, or withdrawn  
 12 from warehouse for consumption, on or after the 15th day  
 13 after the date of the enactment of this Act.

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