

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 25, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5284 (Mr. Mike Ferguson of New Jersey).

**Proponent name,<sup>3</sup> location:** BASF Corporation, Florham Park, NJ.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

3-(3,5-Dichlorophenyl)-5-ethenyl-5-methyl-2,4-oxazolinedione (Vinclozolin) (CAS No. 50471-44-8) (provided for in subheading 2934.99.12).

**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 intermediate that is used to produce a fungicide to treat vegetables, orchards, greenhouse crops, and turf grass. The subject product is imported from Germany.

**Estimated effect on customs revenue:**

HTS subheading: <u>2934.99.12</u>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$4,351,200	\$4,351,200	\$4,351,200	\$4,351,200	\$4,351,200
Customs revenue loss 1/	\$0	\$282,828	\$282,828	\$282,828	\$282,828

1/ There is an existing duty suspension under HTS heading 9902.01.19 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009.

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

<sup>1</sup> Industry analyst preparing report: Andrew Gately (202-205-3437); Tariff Affairs contact: David 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)		
BASF Corporation (Proponent) David Bushnell, Dbjmdassoc@aol.com Greg Thies, Fax: 202-558-5101	05/08/2008	No	No	No
Abbott Laboratories Elaine Leavenworth, Fax: 202-783-6631	05/08/2008	No	No	No
American Chemistry Council Marty Durbin, Fax: 703-741-6097	05/08/2008	No	No	No
Bayer Julie Van Egmond, Fax: 202-737-8909 Karen Niedermeyer, Fax: 412-777-4740	05/08/2008	No	No	No
Biddle Sawyer William Thonack, Fax: 212-239-1089	05/08/2008	No	No	No
Chemtura Matt Mattingley, Fax: 202-463-8497 Lloyd Moon, Fax: 203-573-2686	05/08/2008	No	No	No
Ciba Specialty Chemicals Michelle Forte, Fax: 914-785-7831 Robert Hurley, Fax: 202-289-3588	05/08/2008	No	No	No
Clariant Andrew Zamoyski, Fax: 202-248-9043	05/08/2008	No	No	No
Dow Chemical Lisa Schroeter, Fax: 202-429-3467	05/08/2008	No	No	No
Dupont Helen McMahon, Fax: 302-355-2944	05/08/2008	No	No	No
Eastman Chemical Gregg Riddle, Fax: 212-835-1621	05/08/2008	No	No	No
Emerald Performance Materials Tom Dirmyer, Fax: 330-315-6480	05/08/2008	No	No	No
FMC Corporation Pat Ripperger, patricia.ripperger@fmc.com	05/12/2008	No	No	No
Monsanto Grant Erdel, Fax: 202-789-1867	05/08/2008	No	No	No
Rhodia Dominick Cangiano, Fax: 609-860-2256	05/08/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/No)	
Solutia Kassie Wooton, Fax: 314-674-1585	05/08/2008	No	No	No

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

None.

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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.

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5284

To extend the suspension of duty on Vinclozolin.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2008

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

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## A BILL

To extend the suspension of duty on Vinclozolin.

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. VINCLOZOLIN.**

4       (a) **IN GENERAL.**—Heading 9902.01.19 of the Har-  
5       monized Tariff Schedule of the United States (relating to  
6       3-(3,5-Dichlorophenyl)-5-ethenyl-5-methyl-2,4-  
7       oxazolidineidione) is amended by striking the date in the  
8       effective period column and inserting “12/31/2011”.

9       (b) **EFFECTIVE DATE.**—The amendment made by  
10       subsection (a) applies with respect to goods entered, or

- 1 withdrawn from warehouse for consumption, on or after
- 2 the 15th day after the date of the enactment of this Act.

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