

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: May 23, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4816 (Mr. Kenny Hulshof of Missouri).

**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:** Temporary duty suspension through December 31, 2012.

**Retroactive effect:** None.

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

DL-2-(4-Chlorophenyl)glycine (CAS No. 6212-33-5) (provided for in subheading 2922.49.30).

**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 in the production of an insecticide for home and commercial applications. BASF imports the product from China, Mexico,<sup>4</sup> and Spain.

**Estimated effect on customs revenue:**

HTS subheading: <u>2922.49.30</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	\$6,000,000	\$5,500,000	\$5,750,000	\$6,000,000	\$5,750,000
Customs revenue loss	\$390,000	\$357,500	\$373,750	\$390,000	\$373,750

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

<sup>1</sup> Industry analyst preparing report: Jeff Clark (202-205-3318); 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.

<sup>4</sup> Imports of the subject product from Mexico may be eligible for duty-free access to the U.S. market under NAFTA.

**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?
BASF Corporation (Proponent) Gregory Thies, Fax: 202-558-5101 Ronald Eva, 919-547-2112	3/6/2008 3/13/2008 3/17/2008 3/20/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	3/13/2008	No	No	No
Bayer CropScience Will Hensley, Fax: 202-737-8909 Jean Reimers, Fax: 202-737-8909	3/13/2008	No	No	No
Chemtura Matt Mattingley, Fax: 202-463-8498	3/13/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	3/13/2008	No	No	No
Dow AgroSciences Lisa Schroeter, Fax: 202-429-3467 Max Turnipseed, Fax: 225-383-0590	3/13/2008	No	No	No
Dupont Helen McMahon, Fax: 302-355-2994	3/13/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	3/13/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	3/13/2008	No	No	No
Gowan Company George Rolofson, Fax: 336-854-2772 Cindy Baker, Fax: 928-373-1822	3/13/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	3/13/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	3/13/2008	No	No	No
Syngenta Crop Protection, Inc. Mike Blythe, Fax: 336-632-6084 Angus Kelly, Fax: 336-632-6084	3/13/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	3/13/2008	No	No	No

**Technical comments:**<sup>5</sup>

The Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading because it contains the preferred chemical name.

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<sup>5</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. 4816

To suspend temporarily the duty on Benzeneacetic acid,  $\alpha$ -amino-4-chloro.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2007

Mr. HULSHOF 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 Benzeneacetic acid,  $\alpha$ -  
amino-4-chloro.

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. BENZENEACETIC ACID,  $\alpha$ -AMINO-4-CHLORO.**

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.____	Benzeneacetic acid, $\alpha$ - amino-4-chloro (CAS No. 6212-33-5) (provided for in subheading 2922.49.30) .....	Free	No change	No change	On or before 12/31/2012	”.
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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.

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