

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: June 12, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5007 (Mrs. Ellen O. Tauscher of California).

**Proponent name,<sup>3</sup> location:** Valent U.S.A. Corp., Walnut Creek, CA.

**Other bills on product (110<sup>th</sup> Congress only):** H.R. 5420 (Mr. Bob Etheridge of North Carolina).

**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)):**

[5-(Phenylmethyl)-3-furanyl]methyl 2,2-dimethyl-3-(2-methyl-1-propenyl)cyclopropanecarboxylate (Resmethrin) (CAS No. 10453-86-8) (provided for in subheading 2932.19.10).

**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, commonly known as Resmethrin, is a synthetic organic chemical that is used as an insecticide. It is used on pests such as flies, mosquitoes, and cockroaches in both household and industrial settings. The product is imported from Japan and Hungary.

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<sup>1</sup> Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David Michels (202-205-3550).

<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.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2932.19.10</b>					
	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	\$3,300,000	\$3,300,000	\$3,300,000	\$3,300,000	\$3,300,000
Customs revenue loss 1/	\$0	\$214,500	\$214,500	\$214,500	\$214,500

1/ There is an existing duty suspension under HTS heading 9902.10.83 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: Commission 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?
Valent USA Corp. (Proponent) Robin Demouth, Robin.Demouth@valent.com	04/02/2008	No	No	No
Arkema Inc. (Atofina) Charles Kitchen, Fax: 215-419-7075	04/18/2008	No	No	No
BASF Corporation Greg Thies, Fax: 202-558-5101	04/18/2008	No	No	No
Bayer CropScience Williams Hensley, Fax: 202-737-8909 Jean Riemer, Fax: 202-737-8909	04/18/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	04/18/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	04/18/2008	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, Fax: 225-383-0590 Lisa Schroeter, Fax: 202-429-3467	04/18/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	04/18/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	04/18/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
FMC Corp. Jerry Prout, Fax: 202-956-5235	04/18/2008	No	No	No
Gowan Company George L. Rolofson, Fax: 336-854-2772 Cindy Baker, Fax: 928-373-1822	04/18/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	04/18/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	04/18/2008	No	No	No
Syngenta Crop Protection, Inc. Mike Blythe, Fax: 336-632-6084 Angus Kelly, Fax: 336-632-6084	04/18/2008	No	No	No

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

The Commission staff notes that H.R. 5007 and H.R. 5420 each would extend 9902.10.83. Only one bill should be enacted.

<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. 5007

To extend the temporary suspension of duty on Resmethrin.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2008

Mrs. TAUSCHER introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To extend the temporary suspension of duty on Resmethrin.

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. RESMETHRIN.**

4       (a) IN GENERAL.—Heading 9902.10.83 of the Har-  
5       monized Tariff Schedule of the United States is amended  
6       by striking “12/31/2009” and inserting “12/31/2011”.

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