

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 28, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5271 (Mrs. Shelley Moore Capito of West Virginia).

**Proponent name,<sup>3</sup> location:** Bayer CropScience, Research Triangle Park, NC.

**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)):**

2-(Carbomethoxy)benzenesulfonyl isocyanate (CAS No. 74222-95-0) (provided for in subheading 2930.90.29).

**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 a synthetic organic chemical that is used to make insecticides that are used on fruits and grains. The product is imported from the United Kingdom.

**Estimated effect on customs revenue:**

| HTS subheading: <u>2930.90.29</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 | \$4,000,000 | \$4,000,000 | \$4,000,000 | \$4,000,000 | \$4,000,000 |
| Customs revenue loss 1/                 | \$0         | \$260,000   | \$260,000   | \$260,000   | \$260,000   |

1/ There is an existing duty suspension under HTS heading 9902.11.97 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: 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)                                     |                      |                   |
| Bayer CropScience (Proponent)<br>William Hensley, 202-756-3781<br>Jean Reimers, 202-756-3779 | 04/18/2008     | No   | No                   | No                |
| Arkema Inc. (Atofina)<br>Charles Kitchen, Fax: 216-419-7075                                  | 04/18/2008     | No   | No                   | No                |
| BASF Corp.<br>Greg Thies, Fax: 703-255-7142  | 04/18/2008     | No   | No                   | No                |
| Chemtura Corporation<br>Matt Mattingley, Fax: 202-463-8498                                   | 04/18/2008     | No   | No                   | No                |
| CropLife America<br>Isi Siddiqui, Fax: 202-463-0474  | 04/18/2008     | No   | No                   | No                |
| Dow AgroSciences<br>Max Turnipseed, Fax: 225-338-0310<br>Lisa Schroeter, Fax: 202-429-3467   | 04/18/2008     | No   | No                   | No                |
| DuPont<br>Helen McMahon, Fax: 302-355-2994<br>Elaine Olsen, Fax: 302-774-1398                | 04/18/2008     | No   | No                   | No                |
| FMC Corp.<br>Jerry Prout, Fax: 202-956-5235<br>Steve Ziehm, 202-872-8181                     | 04/18/2008     | No   | No                   | No                |
| Monsanto Corp.<br>Michael Parris, Fax: 202-789-1867  | 04/18/2008     | No   | No                   | No                |
| Nufarm Limited<br>Joel R. Junker, Fax: 206-621-8220  | 04/18/2008     | No   | No                   | No                |
| Syngenta Crop Protection, Inc.<br>Angus Kelly, Fax: 336-632-6084                             | 04/18/2008     | No   | No                   | No                |
| Valent USA Corp.<br>Robin Demouth, Fax: 925-256-2776   | 04/18/2008     | No   | No                   | No                |

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

The Commission staff suggests that the article description of HTS heading 9902.11.97 be modified as shown on page 1 of this report in order to clarify the chemical name.

<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  
2D SESSION

# H. R. 5271

To extend the temporary suspension of duty on 2-(Isocyanatosulfonyl) benzoic acid, methyl ester.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2008

Mrs. CAPITO 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 2-  
(Isocyanatosulfonyl) benzoic acid, methyl ester.

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. 2-(ISOCYANATOSULFONYL) BENZOIC ACID,**

4 **METHYL ESTER.**

5 (a) IN GENERAL.—Heading 9902.11.97 of the Har-  
6 monized Tariff Schedule of the United States (relating to  
7 2-(Isocyanatosulfonyl) benzoic acid, methyl ester) is  
8 amended by striking the date in the effective period col-  
9 umn and inserting “12/31/2011”.

1       (b) **EFFECTIVE DATE.**—The amendment made by  
2 subsection (a) applies to goods entered, or withdrawn from  
3 warehouse for consumption, on or after the 15th day after  
4 the date of the enactment of this Act.

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