

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. 5278 (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 reduction through December 31, 2011.

**Retroactive effect:** None.

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

Foramsulfuron (Benzamide, 2-((((4,6-dimethoxy-2-pyrimidinyl)amino)carbonyl)amino)sulfonyl)-4-(formylamino)-N,N-dimethyl-,) (CAS No. 173159-57-4), in bulk or put up in forms or packaging for retail sale (provided for in subheading 2935.00.75 or 3808.93.15).

**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 postemergent grass herbicide for corn. The product is imported from Germany.

<sup>1</sup> Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David G. 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.

**Estimated effect on customs revenue:**

<b>Total Revenue Loss for this Bill</b>					
	2009	2010	2011	2012	2013
Customs revenue loss	\$0	\$249,787	\$249,787	\$249,787	\$249,787

<b>HTS subheading: <u>2935.00.75</u></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	\$0	\$0	\$0	\$0	\$0
Customs revenue loss	\$0	\$0	\$0	\$0	\$0

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

<b>HTS subheading: <u>3808.93.15</u></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	\$6,404,787	\$6,404,787	\$6,404,787	\$6,404,787	\$6,404,787
Customs revenue loss 1/ 2/	\$0	\$249,787	\$249,787	\$249,787	\$249,787

1/ There is an existing duty reduction under HTS heading 9902.10.37 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009.

2/ The estimated customs revenue loss for 2010-2013 is based on a temporary reduction of the general rate of duty from 6.5 percent ad valorem to 2.6 percent ad valorem, a reduction of 3.9 percentage points. Source of estimated dutiable import data: U.S. industry 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?
		(Yes/No)		
Bayer CropScience (Proponent) William Hensley, 202-756-3781 Jean Reimers, 202-756-3779	04/18/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Arkema Inc. (Atofina) Charles Kitchen, Fax: 216-419-7075	04/18/2008	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142	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 AgroSciences Max Turnipseed, Fax: 225-338-0310 Lisa Schroeter, Fax: 202-429-3467	04/18/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994 Elaine Olsen, Fax: 302-774-1398	04/18/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235 Steve Ziehm, 202-872-8181	04/18/2008	No	No	No
Monsanto Corp. Michael Parris, 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. Angus Kelly, Fax: 336-632-6084	04/18/2008	No	No	No
Valent USA Corp. Robin Demouth, Fax: 925-256-2776	04/18/2008	No	No	No

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

None.

<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. 5278

To extend the temporary suspension of duty on Option and Revolver herbicides.

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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 Option and Revolver herbicides.

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. OPTION AND REVOLVER HERBICIDES.**

4 (a) IN GENERAL.—Heading 9902.10.37 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 Option and Revolver herbicides) is amended by striking  
7 the date in the effective period column and inserting “12/  
8 31/2011”.

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

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

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