

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: October 6, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5332 (Mr. David E. Price of North Carolina).

**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)):**

3-Ethoxycarbonylamino-phenyl-N-phenylcarbamate (Desmedipham) (CAS No. 13684-56-5) in bulk or mixed with application adjuvants (provided for in subheadings 2924.29.43 and 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 products are a synthetic organic chemical that is the active ingredient in a post-emergent herbicide product for treating weeds in sugarbeets, as well as the formulated product containing that active ingredient. The products are imported from Germany.

**Estimated effect on customs revenue:**

Total Estimated Revenue Loss for this Bill					
	2009	2010	2011	2012	2013
<del>Customs revenue loss 1/</del>	\$0	\$65,988	\$65,988	\$65,988	\$65,988

1/ There is an existing duty suspension under HTS heading 9903.13.77 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: Eric Land (202-205-3349); 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.

<b>HTS subheading: 2924.29.43</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	\$515,200	\$515,200	\$515,200	\$515,200	\$515,200
Customs revenue loss 1/	\$0	\$33,488	\$33,488	\$33,488	\$33,488

1/ There is an existing duty suspension under HTS heading 9903.13.77 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.

<b>HTS subheading: 3808.93.15</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	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Customs revenue loss 1/	\$0	\$32,500	\$32,500	\$32,500	\$32,500

1/ There is an existing duty suspension under HTS heading 9903.13.77 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.

**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) Will Hensley, William.hensley@bayercropscience.com Karen Niedermeyer, karen.niedermeyer.b@bayer.com	04/10/2008	No	No	No
Arkema Charles Kitchen, charles.kitchen@arkema.com	05/06/2008	No	No	No
BASF Gregory Thies, gregory.thies@basf.com	05/06/2008	No	No	No
CropLife America Lawrence H. Norton, LNorton@wcsr.com	05/06/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Dow AgroSciences, LLC Max Turnipseed, mctint@att.net	05/06/2008	No	No	No
DuPont Helen McMahan, Helen.C.McMahan@USA.dupont.com	05/06/2008	No	No	No
FMC Corp. Jerry Prout, jerry_prout@fmc.com	05/06/2008	No	No	No
LANXESS Corp. Jamie Schaeffer, jamie.schaeffer@lanxess.com	05/06/2008	No	No	No
Valent USA Robin Demouth, Robin.Demouth@valent.com	05/06/2008	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. 5332

To extend the temporary suspension of duty on Desmedipham in bulk or mixtures.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2008

Mr. PRICE of North Carolina 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 Desmedipham in bulk or mixtures.

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. DESMEDIPHAM IN BULK OR MIXTURES.**

4 (a) IN GENERAL.—Heading 9902.13.77 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 Desmedipham in bulk or mixtures) is amended by striking  
7 “12/31/2009” and inserting “12/31/2011”.

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

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

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