

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: October 6, 2008]²

Bill No. and sponsor: H.R. 5347 (Mrs. Judy Biggert of Illinois).

Proponent name,³ location: Nufarm Americas, Inc., Burr Ridge, IL.

Other bills on product (110th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2011.

Retroactive effect: None.

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

Methyl 2-(4-methoxy-6-methyl-1,3,5-triazin-2-ylcarbamoylsulfamoyl)benzoate (Metsulfuron methyl) (CAS No. 74223-64-6), in pure form or in forms or packings for retail sale, preparations or articles (provided for in subheadings 2935.00.75 or 3808.93.15).

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 sulfonyl urea type herbicide that is used to control broadleaf weeds in cereal crops. It is often applied in combination with other herbicides as a direct spray. The product is imported from China.

Estimated effect on customs revenue:

Total Estimated Revenue Loss for this Bill					
	2009	2010	2011	2012	2013
Customs revenue					
loss	\$245,375	\$245,375	\$245,375	\$245,375	\$245,375

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

¹ Industry analyst preparing report: Larry Johnson (202-205-3351); Tariff Affairs contact: Dave Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

HTS subheading: 2935.00.75					
	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	\$2,025,000	\$2,025,000	\$2,025,000	\$2,025,000	\$2,025,000
Customs revenue loss	\$131,625	\$131,625	\$131,625	\$131,625	\$131,625

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

HTS subheading: 3808.93.15					
	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	\$1,750,000	\$1,750,000	\$1,750,000	\$1,750,000	\$1,750,000
Customs revenue loss 1/	\$113,750	\$113,750	\$113,750	\$113,750	\$113,750

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)		
Nufarm Americas, Inc. (Proponent) Joel Junker, 206-621-7878 Emily Lawson, emily@jrjtradelaw.com	05/23/2008 06/16/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	05/23/2008	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	05/23/2008	No	No	No
Bayer CropScience Jean Reimers, Fax: 202-737-8909	05/23/2008	No	No	No
Chemtura Matt Mattingley, Fax: 202-463-8498 Lloyd Moon, Fax: 203-573-2686	05/23/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	05/23/2008	No	No	No
Dow AgroSciences Lisa Schroeter, Fax: 202-429-3467 Max Turnipseed, Fax: 225-383-0590	05/23/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
DuPont Helen McMahon, Fax: 302-355-2994	05/23/2008	Yes	Yes	Yes
Emerald Performance Materials Tom Dirmyer, Fax: 330-315-6480	05/23/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	05/23/2008	No	No	No
Gowan Company George Rolofson, Fax: 336-854-2772 Cindy Baker, Fax: 928-373-1822	05/23/2008	No	No	No
Makhteshim-Agan of North America, Inc. Mark Bishop, mbishop@manainc.com	06/13/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	05/23/2008	No	No	No
Syngenta Crop Protection, Inc. Mike Blythe, Fax: 336-632-6084	05/23/2008	No	No	No
United Phosphorus, Inc. Jeff Allison, jeff.allison@uniphos.com	06/13/2008	No	No	No
Valent U.S.A. Corporation Robin Demouth, robin.demouth@valent.com	05/23/2008	No	No	No

Technical comments:⁴

The Commission staff recommends that the article description on page 1 of this report be used in the proposed new heading in order to provide the correct HTS classification, the correct chemical name, and the common industry name.

⁴ 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. 5347

To suspend temporarily the duty on metsulfuron-methyl.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2008

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

A BILL

To suspend temporarily the duty on metsulfuron-methyl.

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. METSULFURON-METHYL.**

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:

“	9902.01.00	Methyl 2-[[[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)amino]carbonyl]amino]sulfonyl]benzoate (CAS No. 74223-64-6), in pure form or in forms or packings for retail sale, preparations or articles (provided for in sub-headings 2935.00.75 or 3808.30.15)	Free	No change	No change	On or before 12/31/2011	”.
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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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