

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: March 10, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4282 (Mr. Jim McCrery of Louisiana).

**Proponent name,<sup>3</sup> location:** BASF Corporation, Florham Park, NJ.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Extend temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

2-Acetylnicotinic acid (CAS No. 89942-59-6) (provided for in subheading 2933.39.61).

**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:**

2-Aceylnicotinic acid is a synthetic organic chemical that is used as a pre- and post-emergence herbicide for corn. The subject product is imported from Austria and China.

**Estimated effect on customs revenue:**

HTS subheading: <u>2933.39.61</u>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$6,500,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000
Customs revenue loss 1/	\$422,500	\$455,000	\$455,000	\$455,000	\$455,000

1/ The estimated customs revenue loss for 2009 reflects the existing duty suspension under HTS heading 9902.29.02 that expires on December 31, 2009.

Source of estimated dutiable import data: Industry estimates.

**Contacts with domestic firms/organizations (including the proponent):**

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

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
BASF Corporation (Proponent) Greg Thies, Fax: 703-255-7142	01/29/2008	No	No	No
Arkema Inc. (Atofina) Charles Kitchen, Fax: 215-419-7075	01/29/2008	No	No	No
Bayer CropScience Jean Riemer, 202-737-8909	01/29/2008	No	No	No
Chemtura Corporation Matt Mattingly, Fax: 202-463-8498	01/29/2008	No	No	No
Crop Life America Issi Siddiqui, Fax: 202-463-0474	01/29/2008	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, 225-383-0590	01/29/2008	No	No	No
DuPont Helen McMahan, Fax: 302-355-2994	01/29/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	01/29/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	01/29/2008	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	01/29/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	01/29/2008	No	No	No
Syngenta Angus Kelly, Fax: 336-632-6084	01/29/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	01/29/2008	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  
1ST SESSION

# H. R. 4282

To extend the suspension of duty on 2-Acetylnicotinic acid.

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 2007

Mr. MCCREERY introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To extend the suspension of duty on 2-Acetylnicotinic acid.

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-ACETYLNICOTINIC ACID.**

4       (a) IN GENERAL.—Heading 9902.29.02 of the Har-  
5       monized Tariff Schedule of the United States (relating to  
6       2-Acetylnicotinic acid) is amended by striking the date in  
7       the effective period column and inserting “12/31/2011”.

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